

**University of Cape Town**

**Faculty of Education**

***Developing a framework for education policy analysis:  
the case of the Western Cape's textbook procurement policy***

**A dissertation presented in partial fulfilment of the  
requirements for the degree of**

**MPhil.**

**By**

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# Abstract

This study develops a conceptual framework for policy analysis and uses it as the basis for an analytical framework to describe the Western Cape's textbook procurement policy (WCTPP).

The study starts by defining policy as a purposeful intervention with key attributes, these being: intention; action; practice; status; resources and capacity; and power. The conceptual framework attempts to answer the question, "Are there features which consistently characterise the policy-making process and do the factors which gave shape to policy consistently fall into particular categories?"

The framework suggests factors which shape, locate and give rise to policy can be described in terms of contexts and frames which denote arenas within which policy can be constrained or enabled, politically and practically. The key contexts necessary for policy analysis are spatial and historical and the key frames are the frame of discourses of state, the resources/ capacity frame and the legislative/ regulatory frame. The key features characterising policy are that policy-making is characterised by fluidity and that policy is the expression of a balance or a compromise of interests.

The framework is then used to develop an analytic framework for the WCTPP. The analysis attempts to answer the question, "What are the key features of this policy and what factors have shaped its emergence?" The analysis suggests that as the WCTPP was conceived, developed and translated into practice within the province, it has a coherence not always possible within an education system characterised by national/ provincial policy fragmentation. As a policy, it is shaped by the relatively well-resourced province from which it emerges.

The analysis shows that resources and capacity are a factor at all the sites (department private sector suppliers and schools) involved in the state-private sector partnership that is exemplified in this policy. This policy is given form by the selective recruitment of divergent discourses of the state with two key discourses being manifest, these being that of a democratic developmental state which sets parameters to and regulates the private sector, and a neo-liberal state, which supports free market forces. Through the legislative/regulatory frame the analysis also shows the inter-dependence of the WCTPP and other policies.

The key features which characterise policy-making are portrayed as its on-going nature, and the fact that this policy represents a fragile balancing of competing interests. Educational interests harness commercial interests for educational ends.

The analysis allows for a description of the policy that expresses both its functionality and its fragility. The study concludes that the framework developed provides for a dynamic iteration thus illustrating that policy analysis requires an understanding of how policy develops out of the interplay between the contexts, frames and features identified.

# List of acronyms

<b>ABSA</b>	Association of Booksellers of South Africa
<b>CED</b>	Cape Education Department
<b>COMSEB</b>	Committee of Stakeholders in the Educational Book Chain
<b>COMSEM</b>	Committee of Stakeholders in the Educational Materials Chain
<b>DET</b>	Department of Education and Training
<b>HOD</b>	House of Delegates
<b>HOR</b>	House of Representatives
<b>MTEF</b>	Medium Term Economic Framework
<b>PASA</b>	Publishers Association of South Africa
<b>SABS</b>	South African Bureau of Standards
<b>SAPA</b>	South African Publishers Association
<b>WCED</b>	Western Cape Education Department
<b>WCTPP</b>	Western Cape Textbook Procurement Policy
<b>WPTPSD</b>	White Paper on Transforming Public Service Delivery

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# 1. Introduction

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## 1.1 The topic

Developing and applying a framework for policy analysis: the case of the Western Cape's textbook procurement policy.

## 1.2 Motivation

At the time of completing this dissertation, March 1998, there is extensive coverage of the textbook crisis in the media. Compared to this crisis of virtually no books<sup>1</sup> being bought for schools, the analysis of a procurement policy does not seem particularly urgent.

But in 1997, when I started this dissertation things were different. The major issue then was not book expenditure *per se* but it was book procurement. I was looking back at 1996 when a great deal of money had been spent on textbooks nationally. But schools had been getting books extremely late, they were getting the wrong books and some schools were being particularly neglected. There was substantial media coverage of the procurement problem at the time.<sup>2</sup> It was unclear where the problem lay: in ordering at the school level, in processing at the departmental level, in the tendering process used for delivery, in the procurement policies themselves.

Whereas in 1996 all provinces had had book procurement problems, in 1997 the Western Cape was one province where the situation was much improved in contrast to the national trends. The WCED had distinguished itself from all other eight provinces by adopting unique textbook policies. They dropped a textbook selection list<sup>3</sup> and they developed a new procurement policy, formulated early in 1996. I was curious about this new open textbook policy (as it became known) because it represented an interesting state-private sector relationship and it benefited previously disadvantaged suppliers. It came into being through a consultative process. The *ad hoc* committee formed to devise the policy formalised into the

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<sup>1</sup> By March of the 1998 school year, the state had spent on textbooks just 18% of what it had spent in the 1996 school year. Provincial expenditure on textbooks in 95/96 was R895 million. In 96/97 it was R425 million and in 97/98 it was reduced to R170 million (*Cape Times*, 6 March 1998). While the figure had already dropped in 1997 when I started this research, a new curriculum was due to be implemented in four grades in 1998 and the assumption was that schools/ the education departments were waiting for that rather than spending money on books for the old curriculum. Instead, with the provinces taking over financial control of their budgets and no longer having their debts written off, cash-strapped provinces dramatically cut down on textbook expenditure as one of their cost-saving measures.

<sup>2</sup> The situation in February nationally was described as chaotic in the media. *The Teacher* (February 1997) ran such articles as "Where are the Books?" and "Textbook Crisis Deepens". The book delays also featured prominently in TV and radio news bulletins. By April there were still learners in at least two provinces without books and matric pupils in Kwazulu Natal were only expected to get copies of their setwork books in July. Yet compared to 1996, and compared to the other provinces the situation in the WC in 1997 was much improved.

<sup>3</sup> Open selection means that teachers at school level can choose to spend state money on any book available which they think is suitable. All other provinces screen textbooks and schools can choose books off the final list.



Committee of Stakeholders in the Educational Book Chain (COMSEB) and continued to play a useful role in matters relating to learning resources. COMSEB developed a code of conduct which suppliers had to agree to before they could supply schools. All of this was unusual. None of these developments happened (either then or now) in the other provinces.

I wanted to understand this policy better and set out to investigate how it worked. I combed the policy analysis literature to find a conceptual framework which would help me do so. Soon after, I started the interviewing process. Eventually, unable to find a theory which I thought would fully explain the policy, I developed one which amalgamated elements from the literature together with the critical findings emerging from the research process.

The focus of my interest became the nature of policy analysis itself. I became curious about what a useful policy analysis framework would consist of. I wondered what the necessary components to this framework would need to be. I wondered what the key factors and features of policy analysis were. This is how the dissertation topic became both the development and application of a policy analysis framework.

### **1.3 The question**

#### **What are the necessary factors and features of policy analysis?**

I came to this question via some prior questions which will also be answered in this study. As I have explained in the motivation, I started this research with an interest in a particular policy. I wanted to be able to describe this policy accurately and to understand what shapes it. Also I wanted to know what characterises it and the process of making it. This led me to ask:

#### ***What are the key features of this policy and what factors have shaped its emergence?***

In order to answer this question I needed a conceptual framework which could answer the question:

#### ***Are there features which consistently characterise the policy making process and do the factors which give shape to policy consistently fall into particular categories?***

As the research unfolded, it became clear that there were key factors and features which are essential to policy analysis in general. The process of developing a conceptual framework required me to identify and explain these factors and features of policy. I had to translate these notions of factors and features into more carefully specified conceptual categories. This corresponds to the first part of the topic of this study: developing a framework for policy analysis.

Once I had developed the framework with its conceptual categories, I was able to apply it to the particular policy I was interested in. Hence the topic has two parts: the first identifies the factors and features of policy analysis in general, and the second considers these in relation to this particular policy.

In this study I describe those factors which shape the emergence of policy in the sense that they constrain and enable policy making both practically and at the level of meaning. I also identify two key features which characterise and underlie policy making. In the conceptual chapter I explore these categories in some detail and I attempt to define policy. I use the understanding gained through that process to build the framework.

I think it will be useful at the outset to articulate how I use the terms of policy and policy - making, in order to avoid confusion later on.

In the study "policy" refers to a set of understandings shared by policy actors both consciously and unconsciously. That set of shared understandings might be called "understood policy" or "policy content" to differentiate it from the process of making policy. I could repeat the term "policy content" throughout the study, instead I use the term "policy". Policy making and policy are closely linked, however. They are porous and permeable notions in relation to one another, not neatly distinct.

In the piece I draw a distinction between policy formulation and policy making. By policy making I mean that process of creating, interpreting and re-interpreting policy throughout the arenas of policy formulation and implementation. I believe that policy making must be distinguished from policy formulation. Policy formulation is that process of devising and developing formal policy texts in which policy intentions are expressed. Policy making continues to happen after policy formulation. It happens in intention and practice.

The final point of clarification is that when I talk of the policy making process I am not describing the formal and informal strategies, mechanics or origins of that process.<sup>4</sup> My focus is on understanding the central characteristics, attributes and principles of policy making. I call these the key policy making features and I describe them fully in the conceptual chapter.

## **1.4 The structure of this dissertation**

Chapter 1 is the introduction. I introduce the research topic and provide a rationale for its selection. The main research questions and sub-questions are defined. I then describe the structure and content of the dissertation as a whole.

Chapter 2 combines a literature review with the development of a conceptual framework. I start by reviewing the literature which defines policy. Commenting on various authors, I eventually elaborate on Levin's ideas and suggest that policy attributes must include intention; action; practice; status; resources and capacity; and power.

I then describe and comment on typologies of policy which classify policy by content or function. I argue that for this study it is more useful to classify policy by the approaches to policy analysis. I describe and comment on five authors' ways of categorising policy approaches. I conclude from this that policy analysis is complex and multi-theoretical.

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<sup>4</sup> It is valuable to explore these informal and formal strategies of the policy making processes. I had to limit my focus here due to the constraints imposed by the length of this study.

Finally, this chapter explores seven examples of current prevalent models of policy analysis. I present these in two groups: five traditional-style models and two more fluid alternatives.

This leads to the development of my own conceptual framework which has two main parts: factors which shape policy and features which characterise policy making. I suggest that the factors which shape policy are contexts and frames, and that there are two key policy making features.

When describing factors, I argue that policies always exist in a specific terrain of historical and spatial contexts. Understanding the influence of these contexts is essential to understanding the policy itself because they influence its form and content. I then argue that policy should be located in frames which shape, constrain or enable that policy. I suggest and describe three essential frames: discursive frames of the state; resources/ capacity frames and legislative/ regulatory frames.

Then I describe two key features characterising policy making. The one feature is that policy making is continuous, interactive and ongoing, not static. The other feature is that policy making is the expression of a compromise or balance between different interests.

In the last section of Chapter 2, I review the literature on textbook procurement policies, which becomes the object of analysis in Chapter 4. I note that the literature on textbook procurement policies is more suitably located in the planning literature than in the education policy literature. This leads me to observe that current arguments in planning theory mirror arguments in policy theory. I conclude that they are actually two sides of the same coin in the sense that they make similar points about the political and the pragmatic, from complementary starting points.

At the end of the conceptual chapter I am able to summarise the literature on textbook procurement policies in the light of the framework developed earlier in this conceptual chapter.

In Chapter 3 I describe the methodology used for this research and attempt to articulate the relationship between the theoretical development and the methodology used.

Chapter 4 is the data analysis and discussion chapter. The analysis is presented in sections and includes numerous quotations from the primary data. In this chapter an analytic framework borne out of the conceptual framework and the primary data is used to analyse the WCTPP.

I start the chapter by using the data to provide a chronology of the events surrounding the making of this policy. This provides a "descriptive validity" (as Maxwell, 1994, calls it) and allows the reader to follow the theoretical unpicking later. Because the policy under analysis does not exist in the form of a policy document, I use the discussion developed in Chapter 2, together with the data, to discuss whether the policy being analysed is indeed a policy. Given the unusual form of the policy, this is an important step. Having clarified its status, I explain why the policy is described as effective throughout this chapter.

It is important to analyse any policy historically and spatially as the form and content of the policy is informed by the nature of the time and place within it was produced. Still using the data, I describe these policy contexts. I suggest that the historical context can be characterised by change, messiness, and emerging order. I suggest that the policy's spatial location in the Western Cape brings to the policy a particular relationship with central government as well as a unique provincial identity.

I am now able to locate the policy within the proposed frames. I start by describing how the policy is located in legislative/ regulatory frames. I look at the legislation identified by the interviewees and the way this legislation shapes the policy under analysis. Then I look at the policies they did not identify and I briefly describe how those impact on this policy.

I then locate the policy in a resources/ capacity frame and describe how resources/ capacity impact on if policy is made, how policy is made, as well as the translation of policy formulation into practice. I describe the location of resources/ capacity in three sites: the schools, the private sector text book suppliers (including both publishers and booksellers) and the provincial education department. In this section I supplement the primary data analysis with secondary sources.

The last frame is that which locates the policy within discourses of the state. I explain that while other discourses may constitute and be constituted by this policy, my intention here is to identify discourses to analyse the nature and role of the state. I use the data to suggest that two key discourses of the state are evident in this policy: those of the neo-liberal state and the democratic developmental state.

Having located the policy within these three frames, I analyse a key feature of policy making: policy making as the continual tension between and balancing of interests. I describe the three key actor groupings and explain that they are not homogenous groups. I elaborate on the different interests of the identified actors. I then describe the tensions between these different interest groups and explain how the tensions persist or how a balance of interests has been achieved.

Finally, at the end of Chapter 4, I describe and analyse the actors in this policy as stakeholders, representatives and champions, explaining how categorising them in these different roles is relevant to understanding this policy. The concluding remarks of this chapter sum up the key points identified by this analytic framework.

In the conclusion to the dissertation I reflect on the original questions asked at the outset and on how they have been answered and I make final observations about the themes and limitations of this study as a whole.

Having described the structure and logic of the dissertation as a whole, the next chapter is the conceptual framework incorporating the literature review.

## 2. Conceptual framework (incorporating literature review)

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As explained in the introduction, the initial intention in this research was to analyse the WCTPP policy in terms of what shaped and characterised it. After reviewing the policy literature it became clear that I would have to develop my own framework for policy analysis. While some conceptual categories developed in the different theories seemed useful, no theory appeared to combine both political and pragmatic elements in the way I suspected would be necessary to explain the policy. In order to develop a conceptual framework I had to ask, "Are there features which consistently characterise the policy-making process and do the factors which gave shape to policy fall into particular categories?"

This chapter is structured as follows. I start by describing the way policy is defined in the literature. After commenting on some of these definitions, I assimilate them and explain how I understand and use the term policy.

I then look at perspectives on policy in the literature. Although policy is often classified by content or function, for the purposes of this study it is more useful to classify and summarise the different conceptual and analytical approaches to policy analysis.

After attempting to do just that, I stress the theoretical complexity of policy analysis. I briefly summarise some dominant models of policy analysis before moving on to the development of a possible framework for policy analysis. The framework starts by locating policy within historical and spatial contexts. This conceptual framework sees policy as the ongoing balancing of interests located in and constituted by discursive, legislative and pragmatic frames.

Finally, I look at the way that textbook procurement policies have been portrayed in the literature, noting that these policies are more appropriately analysed within planning theory than in the textbook or policy literature. After suggesting that the planning and policy literature mirror one another (and are effectively two sides of the same coin), I briefly comment on them in terms of my proposed framework for policy analysis.

### 2.1 *What is policy?*

The first step in developing a conceptual framework of policy analysis has to be the clarifying of the term "policy" itself, a surprisingly complex task. In this section I consider definitions offered in the literature and in the process of doing so explain my own understanding.

The literature is teeming with definitions of policy each highlighting particular attributes depending on the author's theoretical position and intent. The only shared characteristic that I have been able to identify is that a policy implies action, but since this is the lowest common

denominator it merely provides the beginning of an explanation. And even then many authors mention inaction as central to policy analysis.

The following definition attempts to be comprehensive:

Policy: The formal official authoritative guidelines designed to prescribe and deal with the overall long-term and short-term goals, objectives, intentions, programs, products, services, procedures and activities of an organisation, institution or system. Usually it includes or provides for standard operating procedures for planning, organising, staffing, directing, co-ordinating, reporting, contracting, budgeting and communicating with external organisations, groups and individuals.

Banki (1986)

Yet because this definition is prescriptive rather than descriptive it is unhelpful, and indeed would not stand up to scrutiny from other authors (myself included) who do not perceive policy in such a neat and contained way.

Levin (1997) points out that the term policy has different meanings depending on how it is used. His view echoes that of Kogan who commented that "any single policy may take on multiple guises and is viewed differently at many points of a complex system" (cited in Ranson, 1995:430).

Levin suggests four usages for the term policy: policy as a stated intention; policy as a current or past action; policy as an organisational practice; and policy as an indicator of the formal or claimed status of a past, present or proposed course of action. These are useful headings which complement the notion that policies are more than a "thing", they are also actual processes and outcomes (Ball, 1994e:15).

For some authors policy is primarily about intention, and a study of policy is about how intention translates into practice. Levin suggests that policy as a stated intention refers to situations where intentions are spelt out in vague terms (such as in draft discussion documents or election speeches). Yet I believe that even when intentions are spelt out in precise terms, it is not possible for practice to reflect that same precision. Therefore Levin's point about policy as practice is particularly important. While authors such as Cibulka (1994:106) query the inclusion of practice in a definition of policy, asking whether such practices are not rather deviation from policy or an attempt to make sense of policy, I see policy-as-practice as central (as do other authors including Appleby,<sup>5</sup> Christie, de Clercq, Ball, Corbitt, to mention a few). Thus I agree with Christie (1996) who says that policies are best understood in terms of practice on the ground and Samoff (1996) who questions policy analysts who research only formal pronouncements by authoritative institutions, pointing out that policy is made as much in practice as by pronouncement.

Policy intentions and policy in practice *continuous process* constantly influence each other. I argue that attempts to understand policy and policy analysis in general focus on the political (particularly

<sup>5</sup> Appleby cited in Lowham (1995).



issues of power) and neglect the pragmatic with the attendant issues relating to resources and capacity. Some writers believe that understanding the political is reflective while understanding resources is something practical that occurs "on the ground" far away from policy making,<sup>6</sup> I suggest that this is a lopsided and problematic approach which neglects the "how to" in favour of the "what for".

By resources and capacity, I mean both physical and human resources and capacity in three ways: what already exists, what is allocated and what is required. I define and explore these concepts more fully later in this chapter.

There is some acknowledgement of resources in the literature, with an implicit focus on allocation. Thus Codd (1988:235) says, "Policy is taken here to be any course of action (or inaction) relating to the selection of goals, the definition of values or the allocation of resources"; Jenkins' definition (cited in Smith, 1996:19) is "Policy is a set of inter-related decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where these decisions should in principle be within the power of these actors to achieve"; and Smith (1996:19) sums up, "Educational policy may be conceived as a sub-set of public policy and it is certainly true to say that it also carries concepts of goals, action and resources."

In the South African educational policy literature de Clercq (1997b: 127), for example, does mention resources. She suggests that policies can be seen either as rational activities aimed at resolving group conflict over allocation of resources and values in order to restore the cohesiveness, order and functionality of society; or as exercises of power and control and the authoritative allocation of values (both material and social) between different social groups. The point of her comparison is the difference between the rational and the political. Issues to do with resources do not enter her later discussion and she says explicitly that it is the political aspects of the second approach that inform her study. While I am not arguing for the rational (her alternative) to be emphasised, I think that the focus on the political must exist alongside, not instead of, a recognition of the practical issues of resources and capacity.<sup>7</sup>

Another South African author, Christie(1996), suggests that policy connotes a range of meanings. The two common threads she identifies are firstly that policies are about goal-directed courses of action (or inaction) taken by states in particular circumstances and secondly that policies are an exercise in power in preserving or bringing about desired arrangements in education and society. While both points are relevant they need to be complemented by an acknowledgement of resources/ capacity for a more complete understanding of policy.

It becomes evident that resources are not sufficiently acknowledged in policy analysis. I have argued that issues of resources and capacity must be foregrounded in order to better understand the very notion of policy as well as the policy-practice relationship.

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<sup>6</sup> This relationship between the reflective and the practical is explored further in Hoppe's piece in Forester (1993).

That said, clearly values, interests, politics and power are also integral to the notion of policy and the attempt to understand what it means. Thus the definition of policy as "the authoritative allocation of values"<sup>8</sup> has become widely used in the literature.

Certainly any study of policy must also be about power and power relations and Codd (1988:235) makes this important point when he says, "Fundamentally policy is about the exercise of political power and the language that is used to legitimate that power." This view of policy is related to planning theories such as the "argumentative turn"<sup>9</sup> and "communicative action"<sup>10</sup> which I refer to later.

A more extreme understanding of policy can be found in Popkewitz (1995:416-7) who comments that policy and policing are epistemologically related. He says that reform as a rational policy of intervention is an integral part of state regulation, monitoring and steering, and that according to Foucault, policing refers to the specific techniques by which government, in the framework of the state, enables individuals to be useful to society. This perspective raises interesting issues about the role of the state which are explored later in this study.

My starting point in this study is that the state is, indeed, still at the centre of policy. It has a responsibility for ensuring that democratic and participatory policy making takes place and for shaping society. Studies such as this can help understand how this does or does not happen. Furthermore, it does seem that the state's non-intervention is also a policy statement with its own implications that need to be explored (Offe 1996:75).<sup>11</sup>

While policy can be realised in different ways and can have different connotations, it can also have particular attributes. Levin (1997) is helpful once again when he suggests that policies have key attributes: belongingness, commitment, status and specificity.

By belongingness he suggests some kind of ownership (thus a policy would be government policy, provincial policy, Western Cape policy, company policy and so on). He suggests that commitment is what makes a policy more than a vague intention, and that status is usually conferred on that commitment in some visible way.

I agree that status and commitment are usually indicated visibly - through a meeting, a memo, a letter or piece of legislation. But there may also be times that the status and commitment can be seen through practice, by observing that something has gradually become

<sup>7</sup> It must be noted that later, when implementation problems emerge in practice, de Clerq (1997a) acknowledges capacity in particular as a major cause of concern and argues that bureaucracy must be considered a key policy actor.

<sup>8</sup> This definition is widely used but there is no consensus as to its original source. So, for example, Cibulka (1994:106) attributes the definition to Easton (1965); Ball (1990:3) attributes it to Kogan (1975); and Badat (1991:18) attributes it to Prunty (1985)!

<sup>9</sup> See for example the essays in Fisher and Forester's (1993) *The argumentative turn in policy analysis and planning* and in Mandelbaum et al (1993) *Explorations in planning theory*.

<sup>10</sup> This is well-summarised in Healey's Planning through debate: the communicative turn in planning theory, in Campbell and Scott's (1996) *Readings in planning theory*.

<sup>11</sup> Offe was writing about the state and regulation/deregulation when he said that the politics of deregulation, no less than regulation, have the character of a massive state intervention, and that both cases involve decisive changes brought about by public policy.



the case and it may be difficult to identify the moment when that practice became so widespread that it became the policy. A policy may emerge from organisational practice and policy intentions only formally marked and articulated at a later stage.

Status and formality are not the same thing. Status implies standing and agreement about a policy decision. This may happen informally. At some point a policy that does not disappear or remain only a "paper policy",<sup>12</sup> must achieve status. At which "moment" this occurs is worth investigating. Is it when the decision is made? Is it when practice is actually acknowledged<sup>13</sup> as policy? Is it when policy arguments achieve consensus? Is when policy is written down and becomes text? Certainly most policies do eventually become formalised and are usually written down in some form: a piece of legislation, a memo, a regulation, a letter.

Of particular interest is Levin's attribute of specificity. He says that the less specific a policy is, the more options it leaves open when it comes to translating the policy into action. Conversely the more specific it is the closer it is to being a single blueprint for action. Levin's view of specific policies is echoed by Carley (cited in Haddad, 1996:1) who suggests that specific policies are less complex, have a lower number of policy alternatives/ solutions available, have narrower decision criteria and exist in a more precise environment. One might also distinguish between specific and specified policies. A very specific policy has a narrow focus and content and thus would refer to intention. A tightly specified policy would be accompanied by detailed implementation guidelines and would thus refer more to practice.

Following this logic, highly specific and specified policies are more likely to be put into practice. Obviously vaguely specific and specified policies are less likely to be put into practice, but it must be remembered that even detailed of policies (in both intent and guidelines) may be resisted on the ground and not put into practice at all.

A policy may be agreed to and policy intentions articulated, but the matter does not end there. Other policies impact. There may be a confluence where different policies meet or there may be contradictions from within and outside of that policy sector. There are policies within policies: some of them are overt, many covert. Policies, decisions and choices may be hidden inside one another, may occur in layers, and may overlap. Further policies have to be put in place as implementation occurs. Because the state is so complex, policies become unpredictable and difficult to co-ordinate, and it becomes nearly impossible to co-ordinate intended policy impact, let alone actual impact and outcomes.

A relevant example is that of the Schools Act. This is simultaneously a major policy document as well as the container of other policies. The possibilities in the Act implied about

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<sup>12</sup> Jansen (1998) talks of "policy by declaration" the belief that the mere promulgation of policy (in the form of discussion papers, Green Papers, White Papers etc) constitutes change.

<sup>13</sup> Thus Samoff (1994) suggests that a policy may be implemented before it is formally made or acknowledged.

textbook provision are not at all explicit yet they have the potential to change the *status quo* in a way that many key players are not yet aware of.<sup>14</sup>

For the purposes of this study policy is seen as an actual purposeful intervention. It is a specific phenomenon. It changes the way things happen. It is more than an intention - many intentions come to nought. It has implications. A policy is also more than a decision - decisions may remain a stated intention and may not be enacted. Therefore a definition of a policy as "an explicit or implicit decision or group of decisions which may set out directives, initiate or retard action or guide implementation of previous decisions" (Haddad, 1995:18) must be incomplete.

To sum up then, my understanding is that policy attributes must include intention; action; practice; status; resources and capacity; and power.

## 2.2 Ways of seeing policy

Policies can be described and classified in different ways: by function, in terms of content, or in terms of the perspectives used to analyse them. I will summarise some of these typologies as part of the process of developing my own approach to policy analysis. As I review the literature I will attempt to identify which aspects were useful (or not) for this study and why. This will supplement the explanation in the introduction and methodology chapters where I tried to articulate the logic of developing this framework.

### 2.2.1 Typologies of policy

For the purposes of this study the least useful typologies are those which classify policies by content or function, especially as these may be becoming outdated. One such typology widely adopted especially in the South African policy literature is Lowi's (in Parsons 1995) whose classification is based upon the distributive and regulative nature of policy. He suggested three categories: distributive policy issues - the distribution of new resources; redistributive policy issues - changing the distribution of existing resources; and regulatory policy issues - the regulation and control of activities. He later added another type which is less often referred to, but which is probably the most dominant in the present South African context: constituent policy issues - the setting-up or re-organising of institutions.

These categories are closely related to what governments do. Two separate writers, Banting<sup>15</sup> and le Grand (each cited in Levin 1997) both say that government policies relate to three areas: regulation, income transfers and services. Without engaging in too much detail with this typology, it is interesting how these categories have changed since Lowi developed them in the 1960s as the relationships between government, the private sector and the civil society have

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<sup>14</sup> One interviewee, a retired government official, interviewed commented that schools have not remotely begun to understand the extent of their autonomy, an observation true of book procurement.

<sup>15</sup> Banting identifies three major mechanisms by which modern governments alter existing social patterns. These are regulation, income transfers and services. Regulation, the setting of rules backed by sanctions, involves regulatory policies while service provision involves both distributive and redistributive policies.

reconstituted themselves. Changes in the nature of the state mean changes in the nature of the policies. This idea is explored later in the section on discourses of the state.

Another suggestion is that policies can be classified in terms of the complexity of the issues they deal with. Thus the four groups suggested are: strategic, multi-programme, programme and issue specific policies (Haddad 1995: 18). The textbook policy under discussion here is clearly specific. Yet for my purposes the complexity of the policy issue is not relevant to how you set about analysing it as the policy analysis framework in all cases would require the same strategies.

Therefore the next section moves from typologies which deal with the content of policies to approaches to understanding policy. A number of authors have attempted to categorise perspectives on policy analysis rather than classifying policies by form or function.

## 2.2.2 Approaches to understanding policy

The approaches described here are drawn from the literature relating to the education sector and beyond, on the basis that education is a sub-set of public policy thus the broader categories used still apply to education policy analysis. They each use different methods of categorisation, all of which add something useful to this study.

### 2.2.2.1 *Parson's six policy contexts*

Writing about social policy in general rather than education policy in particular, Parsons (1995) discerns six main approaches to explaining what he calls the political context of policy. He calls these approaches: stagist; pluralist-elitist; neo-Marxist; sub-system; policy discourse and institutionalism. Of these six categories, four are well-represented in the educational policy literature, and I draw on three for the purposes of this study, as explained below.

Parsons suggests that the stagist approaches view the policy process as a series of neat steps or sequences, beginning with agenda setting and concluding with policy evaluation and termination. Examples of stagist policy analysis are still common, although there are few which are as stark or simple as Parsons outlines. This model is the antithesis of mine, particularly as it lends itself to a top-down approach to policy.

Pluralist-elitist approaches focus on power and its distribution amongst groups and elites, and the way they shape policy making. This emphasis on power relations has been incorporated into other approaches and is generally accepted as being relevant to any understanding of policy formation. Thinkers such as Lukes (1974) have also influenced policy writers while Ball, an influential educational policy theorist has been described as a Weberian neo-pluralist (Ranson 1995:435). Certainly this focus on power relations is relevant to the one of the key features in the framework I propose which sees policy as a compromise or balance between different interests and values.

Neo-Marxist approaches are concerned with the application of Marxist ideas to the explanation of policy making in capitalist and late capitalist societies. The neo-Marxists

criticise pluralism for de-centring the state, amongst other things, and are represented in the educational literature by authors such as Hatcher, Troyna, Dale, and Evans. These educational policy writers as well as neo-Marxists outside education (particularly Offe) have influenced my proposed framework with its strong focus on the state.

Parsons differentiates policy discourse approaches from the previous four. He says this approach examines the policy process in terms of language and communication and draws on the theories of Foucault and Habermas in particular. Analyses which focus on policy discourses are currently well-represented in educational policy literature and include for example Ball, Scheurich, Taylor and Corbett. Despite using the notion of policy discourse differently from such authors, I have found their perspectives and the concept of discourse useful for policy analysis.

Parsons' last two suggestions are the sub-system approach and institutionalism. The sub-system approach analyses policy in terms of metaphors such as networks, communities and sub-systems. He says institutionalism is a less well developed approach than the others but has emerged as of note recently. There is little evidence of these approaches in the educational policy literature.<sup>16</sup>

Parson's categories are a valiant attempt to define that which is permeable and fuzzy. As mentioned, my framework draws on aspects of three of his outlined approaches: pluralism, neo-Marxism and policy discourses. This gives some indication of how tricky it is to sustain neatly demarcated categories.

#### *2.2.2.2 Levin's four insider perspectives*

Levin argues that the most useful way to attempt to conceptualise policy is in terms of what it means to politicians and officials inside government (as opposed to academics outside government), and by examining the way it actually is used and understood in practice. Somewhat ironically, since he himself is writing as an academic, he suggests four perspectives which he believes are complementary. These are policy as: the product of a rationale; a selective response to interests; the outcome of a process; and as a reflection of the power structure.

These perspectives are complementary because the rationale and interests perspectives provide ways of examining the policies themselves, thus revealing something about process by examining the product. The process perspective focuses on mechanisms at work by highlighting the forming and processing of issues, while the power structure perspective examines the effect of the state and political systems on policy making.

Levin provides questions and ways of analysing policy in an articulate and convincing manner. His understanding of interests differs from mine in that he stresses self interest and the personal (a more psychological dimension), while I equate interests with values. Also he does

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<sup>16</sup> Cibulka (1994:115) says that the only two education policy scholars who have paid attention to institutionalism are Boyd (1992) and Boyd and Hartman (1988).

not articulate some of his basic assumptions about the role of the state. Nevertheless, his approaches are helpful and I drew on his writings particularly when attempting to define the meaning of policy earlier.

### *2.2.2.3 Forester's three forms of policy analysis*

Forester (1993) makes different distinctions and suggests that there have until now been two forms of policy analysis: incrementalist and utilitarian. He goes on to suggest a third approach, that of critical pragmatism.

The incrementalist approach, as he sees it, focuses on the negotiations involved in the formulation and implementation of policy. During the process of formulation various interests lobby to exert influence to shape policies being considered. Once formalised a new round of negotiations begins. He suggests that the utilitarian approach is typified by the predominant cost-benefit analysis which forms the basis of so many current policy proposals. He argues that both these approaches treat policy analysis as a tool to reach an end.

His critical pragmatism uses Habermas' critical theory to develop what he calls "communicative action". This approach moves beyond what he calls policy making (and I call policy formulation) to examine the relationship between policy making and the lived world of actors (who both make and interpret policy) and policy making and the restructuring of social worlds. This is of particular relevance to my framework which seeks to simultaneously understand the making and the locating of policy.

### *2.2.2.4 White and Crump's two approaches*

White and Crump (1993) suggest that contemporary policy studies share several characteristics and can be contrasted with classic policy analysis. The implication is that classic studies are modernist while contemporary studies are post-modernist. They believe that current studies emerge from the field of sociology unlike classic studies which are based in the field of political science.

They draw on Ball (1990) and Dye (1984) to summarise the differences between the two approaches as can be seen in this table.

<i>Classic policy analysis</i>	<i>Contemporary</i>
Political science perspective	Deconstructive, critical perspective
Explains the causes/ psychology	Ethnography, sociology
Incorporates models	Avoids models
Portrays solutions/ answers	Encourages further research
Uses of broad ranging policy material	Explores policy sociology
Policy making is the central theme	Policy stages are cyclical
Policy influences and impact are secondary	Micro-politics are highlighted
Power is predetermined	Seeks location of power
Investigates process and content links	Investigates cycle: policy intentions actual and policy-in-use
Implementation is seen as basic activity	Theory is data led and developmental and research is ongoing
Group theory, elite theory, game theory, systems theory, incrementalist...	Policy analysis is thought/ action provoking towards greater social justice

Crump and White (1993)

It is impossible here to compare and contrast modernist and post-modernist approaches in great depth. But I think that the categories have become more permeable than presented here and that an influence of post-modernism is that more complexity and uncertainty is being admitted to in general. The dominant models described in Section 2.2.4 are neither as neatly stagist nor so clearly framed by political science.

#### 2.2.2.5 Raab's multitudes

Raab (1994) reflects on current theoretical perspectives in what he calls the sociology of education policy, but does not attempt a neat categorisation of policy approaches. Instead he confirms the multitude of perspectives on policy and the lack of "the right answer". I include him here because he supports theoretical diversity and because I agree with him that there is a common thread in current writings on policy, that thread being an attempt to relate product and process no matter what the theoretical basis or ideological background of the writer.

He concurs that recent educational policy research occurs in a range of broad theoretical contexts, and says that its complexity, fragmentation, multi-organisational and conflict ridden state means that its study "will not yield much to the grand simplifications of flat earth versions of either pluralism or Marxism"(1994:25). He suggests that education policy sociology has uncertain theoretical grounding, but believes that its strength lies in its "catholicity and experimentalism".

Raab also stresses the importance of "implementation and its discourses" for explanations of policy and points out that in education there is a long and elaborate implementation chain embracing a vast range of sites of action and discourses, from central-government machinery to places where policy is arbitrated. This is echoed in my model which locates policy making in two frames (legislative/ regulatory and resource/capacity) which traditionally are constituted within the implementation arena.

Like many others, Raab argues that human agency must be taken seriously in explanations of policy, but so must the context of action within structures and processes. He describes the



conceptual problems in the research which tries to deal simultaneously with both policy and practice and to incorporate both macro and micro dimensions. He also emphasises that conceptualising the relationship between the formulation and the implementation policy is beset with problems, a comment that has certainly been true for the development of the framework in this study.

### 2.2.3 Policy analysis as complex

What becomes clear from the previous sections is that it is possible to approach policy from many angles, and even to approach the analyses of policy from many angles. As can be seen, one can extract much that is useful from several theorists. This leads to the conclusion that policy analysis is a highly complex and multi-theoretical area of study, a conclusion which echoes throughout the literature.

The multi-faceted nature of policy analysis is summed up usefully here:

...understanding or analysing public policy involves a complex web of theories - theories of the state, of civil society, of interest groups, of the bureaucracy, of the change process, of economic development and so on. And analysing public policies on education involves, in addition, grounding in different theoretical approaches or understandings of curriculum, of teaching and learning, of school organisation and governance, of financing, of school quality and effectiveness and so on, to say nothing of macro theories of the school's relationship to the state and labour market. Clearly this is not an exhaustive list. My intention, rather, is to illustrate that the field of policy studies involves complex theoretical positioning.

Christie (1996:67)

Furthermore, there is no one dominant theory in policy studies. Rather:

...the vast literature on the topic of educational policy has produced no standard textbooks, little agreement on the methods or goals of educational policy research, and few "classic" or exemplary studies for defining the area's central thrust or overall theoretical perspectives...

Mitchell, cited in Evers (1991)

and:

Explanations of policy patterns are further complicated by theoretical and empirical constraints. There are multiple metaphors and models but no grand theories of public policy generally or education policy more specifically. There are numerous studies but few conclusive findings.

Malen and Knapp (1997:419)

Indeed the argument is made that the multi-theoretical approach is a necessity:

An adequate understanding of public policy demands a multi-theoretic and multi-disciplinary analysis. A number of theoretical and methodological presuppositions can form the basis...for a more integrated approach to explanatory analysis.

Ranson (1995:442)

and:

No one theory is adequate to explain the complexity of the policy activity of the modern state. The analysts must accept the pluralistic nature of the enquiry both in terms of the interdisciplinary nature of the investigation and the need for a hermeneutic tolerance of diversity [...This book] is written in the context of post-positivistic and constructivist conceptions of policy analysis. That is to say it considers policy analysis as made of multiple constructions of the policy process and of the problems policy makers address.

Parsons (1995:73)

Having commented on five authors' classifications of policy analysis perspectives, I concluded by agreeing with a range of authors that policy analysis is of necessity multi-theoretical and complex. In the next section I will provide some examples of policy frameworks which are dominant in the policy literature.

#### 2.2.4 Prevalent frameworks of policy analysis

Lest this chorus of voices emphasising complexity and multi-disciplinary approaches becomes overwhelming, I would like to take a step back and describe some current, more traditional models of policy analysis in the literature. This will show that there are still a number of models at the present time which portray policy as linear and rational. To do this, I describe five current models: bureaucratic, rational, hard systems, interactive and transactional.

I also describe two other less traditional examples which I consider important, one emerging from the academic sector and one from a non-academic sector. The first, Ball's theory of policy analysis, is important because it is an influential, rigorous and non-traditional attempt to create a theoretical framework which provides an in-depth understanding of policy. The second, the DAE's (Association for the Development of African Education) approach to policy analysis, is important because it provides an example of how a perspective can evolve over time. Unlike Ball, the DAE's framework is not developed within the academic environment and it is interesting because it shows how ideas about policy emphasising complexity and continuity are infiltrating more traditional policy domains.

The bureaucratic and rational models have been described in different guises earlier, but it should not be implied that they are no longer being utilised. The bureaucratic model is based on early studies of organisations and assumes that policy makers made policy and implementers implemented it. It originated in a notion that bureaucracies could be described from a purely organisational point of view, and every task fitted neatly into some sort of job description. Implementation decisions were thus essentially non-political and technical, and the hierarchy was top down with the decision-making residing in the top echelon. Within this paradigm, political, psychological and sociological perspectives were not relevant (Lowham, 1995).

This is closely related to the rational model (Cibulka, 1995) which assumes that clear goals are articulated within a tightly integrated hierarchy producing an efficient fulfilment of these goals. Decisions are made at the apex of the hierarchy and translated into outcomes through explicitly defined steps undertaken in the technical core. Such a model proposes that links



between policy making and teaching allow the accomplishment of goals, and educators can manage the technology of education in ways that will achieve greater productivity.

The hard systems model, still prevalent within World Bank studies in the 1990s, assumes that the best policy option is selected out of a very large number of possible courses of actions, using cost-benefit analysis, manpower planning or mathematical optimisation techniques as instruments of analysis. It suggests that if the planned actions are carried out, the outcomes will materialise. It perceives the educational organisation as a tightly linked system that can be manipulated by resource allocation decisions and directives. It assumes clearly defined problems and uniform answers and is based on the assumption that implementation will be left to technicians and performance problems are caused by deviations in the plan (Verspoor, 1992).<sup>17</sup>

Verspoor (1992) calls his alternative the interactive model and suggests that changes in planning for educational reform will have to reflect recent changes in the production process in the manufacturing sector in that quality assurance, responsiveness to customer demand and small batch production are common to both sectors. Policy must be understood in terms of diversity and flexible responses. The model promotes the systematic statistical measurement of learning process indicators and learning outcomes arguing that they are as critical for education as quality assurance is for business.

With its roots in the World Bank, this perspective is framed by that institution's economic perspective which aims to quantify returns on educational investment. Unlike the models mentioned earlier this one is less easy to dismiss given the Bank's international influence and given the way it is couched in the dominant paradigm of globalisation and flexibility. However, it assumes firstly that it is appropriate to equate the education and business sectors, and secondly that returns and economic indicators are the most appropriate tools of education policy analysis. I share neither of these assumptions.

Emerging from another influential organisation, the HIID (Harvard Institute for International Development), is the transactional model which focuses on key transactions or dealings that affect dynamics and outcomes, and attempts to identify "nodes" where decisions are made. This model is used in an authoritative manner in a self-help manual for developing countries.<sup>18</sup> It is of note that after applying this model to five reform projects, the researchers share the conclusions of the majority of researchers of wide-ranging ideological backgrounds: that there are no "teacher-proof" educational innovations, and that teachers need to understand the purpose of reform, believe it is useful and want to use it. Thus the importance of linking policy implementation with policy making is highlighted.

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<sup>17</sup> Verspoor says this model is congruent with command and control management techniques typical of mechanistic organisations with an emphasis on the specialisation of tasks and extensive formal rules and procedures. He criticises the dominance of this hard systems model within the World Bank, and argues for an interactive model.

<sup>18</sup> It is called *Framing questions: constructing answers: linking research with education policy for developing countries*.

In contrast to the five models just described are Ball's attempts to deal with both social structure and human action by using what he calls a theoretical toolbox to develop theories of policy as discourse and policy-as-text. These provide tools for unpicking the threads of external complexities and unpacking the mutual relationship of individuals and policy texts.

Ball argues that in policy formation, struggles are set within a discursive frame which constrains the possibilities of interpretation. People respond in ways that they cannot or do not think about. He quotes Foucault, "Discourses are practices that systematically form the objects of which they speak...Discourses are not about objects; they do not identify objects, they constitute them and in the practice of doing so conceal their own invention"(1994e:21). Policies themselves create a "policy discourse" - they are constituted of possibilities and impossibilities tied to knowledge on the one hand and practice on the other. Ball focuses on "the way in which policy ensembles, collections of related policies, exercise power through a production of truth and knowledge as discourses"(1994e:21).

Struggle and compromise thus take place within a pre-established terrain which we most likely do not think about. Ball adds that while we are enmeshed in a variety of discordant, incoherent and contradictory discourses, there are dominant discourses within broader social policy.

In the second part of his conceptualisation, Ball develops a theory of policy-as-text and draws on literary theory to suggest that policies are representations which are encoded and decoded in complex ways. Texts are de-contextualised from their original locations and re-contextualised into a new assemblage. The state control model of education freezes text and does not take into account the continual slippages that occur throughout the policy process. The nature of policy contexts and the relations between them become crucial to our understanding of how texts operate. He argues that new policy texts require people to "make sense" and translate what they are reading.<sup>19</sup> Policies *are* textual interventions into practice. They pose problems to subjects who have to solve them in a context, and they have to be *acted on* (both emphases in original). They require "creative" responses which cannot be predicted. Enactment relies on things like commitment, understanding, capability, resources, practical limitations, co-operation and inter-textual compatibility. Policies enter existing patterns of inequality and are taken up differently depending on the context in which they are received (Ball 1994e:18).

Ball's theories have been influential<sup>20</sup> because he (and others) offer a new and valuable "set of tools to begin to try and explain things"(1990:18). As Hatcher and Troyna (1994:155) say,

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<sup>19</sup> He uses Barthes' work on writerly and readerly texts to discuss legislated documents of policy texts. A writerly text gives the reader a role with a contribution to make, while a readerly text leaves the reader redundant, able only to accept or reject the text. The readerly text supposes that readers will be "innocent" with few alternatives to offer.

<sup>20</sup> For example, Hatcher and Troyna say "It is difficult to overestimate the contribution of Stephen Ball to the emergent genre of analysis known as education policy sociology." Almost a quarter of Ranson's summary, *Theorising Education Policy* (1995) describes Ball's theories (a measure of their influence) and Corbett (1997) uses

"One of the exceptional imperatives of Ball's work is to break rank with the traditional priorities of policy analysis." Many authors acknowledge and engage with his work, as I do. I explain later how his work provided a springboard for the development of my conceptual framework.

The final example in this section is that of the DAE (Association for the Development of African Education), a grouping of Ministers of Education from African countries south of the Sahara and their key international donors. I have included the DAE because this is a non-academic grouping whose understanding of policy has changed and became more nuanced over time. It is of note that some key factors and features I identify are infiltrating beyond the academic sector.

In 1993 the DAE<sup>21</sup> discussed educational policies and reform programmes, specifically in an attempt to analyse mistakes in failed reforms and to identify the criteria needed for success in the future.<sup>22</sup> Their notion of the policy cycle at that stage was still presented in neat, linear and one-way steps. Discussion documents suggest that in the past reform failures were always attributed entirely to technical problems, specifically capacity weaknesses. The donors, one of the three key actors, had focused on technical success with attempts to fill skills gaps by providing skills rather than focusing on capacity building, sustainability and developing real ownership.

Just two years later, in 1995, these same actors noted that the stages in policy formation are not as orderly and sequential as they appear and that a new mind-set which acknowledged the messy and fluid process was needed. They observed a tension in policy formation analysis between the technical and information on the one pole and power and politics on the other. They stressed the fluidity of policy formation and highlighted the relationship between policy making and policy in practice.

They stated that implementation *is* policy in practice and pointed out that policy formation is a continuous process. As a DAE conference participant said, "We are not building a road but raising a family and that means you had better consult everyone in the family, even the relatives. Policy isn't a solution to a problem but a continuous process of growth and nurturance" (Hartwell, in Evans et al, 1996:18). This apt observation is a suitable precursor to a description of my proposed framework for policy analysis.

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Ball's theories to analyse policy implementation in Australia concluding by saying "This conclusion represents I believe some support for Ball's arguments about the nature of policy."

<sup>21</sup> The DAE is an influential group (not organisation) in Africa as donors influence education policy decisions by virtue of the high level of funding in Africa. They finance more than 50% of the education budget in some countries. In a South African context where donors are becoming increasingly active in education, the development of their theoretical position over the past few years is particularly relevant.

<sup>22</sup> In 1993 education in these countries had an explicit agenda: education for economic growth and political stability. Education reforms have formed part of structural adjustment programmes and an understanding of economic issues for educational policy planning has been considered essential.

### **2.3 Developing a framework for policy analysis**

A review of the literature has revealed much variety in the models of policy analysis available, yet none which could be fully applied to this study. Theorists tend towards either structure or agency while I try to incorporate both. Also, many useful theorists stress the political and neglect the pragmatic whereas I argue that both are relevant to understanding policy.

The shape of the framework I develop here was initially derived from Ball. He provides a valuable starting point by paying equal attention to those two key elements of policy: agency and structure. My model is premised on features of policy making associated with agency and factors which shape policy (contexts and frames) associated with structure. I do not begin to grapple with that age-old dilemma of the relationship of agency and structure as Ball does. Rather, I agree with Henry (1993:102) who argues that they exist on a continuum in relation to one another rather than in opposition to one another.

While I do not explore policy making through Ball's proposed policy-as-text in the form of readerly and writerly texts, I agree with the underlying position of policy intentions being continually interpreted and re-interpreted. My discussion of policy making stresses two key features that characterise it: firstly that policy making is ongoing, unstable and interactive; secondly that policy making is a compromise of ideas, needs and interests.<sup>23</sup> More optimistically than Ball, I think that sometimes these interests can be accommodated in some sort of balance.

I then suggest that policy must be located in contexts of time and place (i.e. historically and spatially) and in frames. I use the concept of frames to explain that which constrains, enables, influences and shapes policy conceptually. I suggest that there are three central frames in which policy is located: discursive frames, legislative/regulatory frames and resource/ capacity frames. Using a discursive frame, discourses provide a useful tool for identifying the deeper structures and power relations in which all policies are enmeshed. But I believe this discursive frame should be complemented by other frames which both enable and limit policy. In particular, policy is also made possible and restricted by laws and regulations, and by resources and capacity.

The notion of discourses provides a way of ensuring that policy analysis always engages with the role of the state. Because I argue that the state is so central, my discursive frame becomes in effect the frame of discourses of the state. There is a certain irony that Ball has been accused of de-centring the state, yet I find his concept of policy-as-discourse the most useful way to engage with the state.<sup>24</sup>

I will now explore these proposed concepts in more detail.

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<sup>23</sup> Crump and White (1993: 424) state that throughout all Ball's work, policy is represented in this way.

<sup>24</sup> Perhaps Ball's critics were looking for the state in his theory of policy as text instead of in policy discourses.

### 2.3.1 Locating policy

I suggest that the factors which shape policy and where policies are located can be conceptualised as contexts and frames.

All policies occur in particular historical and spatial contexts. Time and place impact and influence policy and the translation of policy into practice. How they do so needs to be incorporated into that policy's analysis in order to investigate the nature and form of those influences.

Policies are also located within frames which shape what they can (or cannot) do and be. I suggest that there are three essential frames: discursive frames (specifically discourses of the state), legislative/ regulatory frames and resource/ capacity frames. My notion of these three frames emerges from concepts developed by Ball (as explained earlier) as well as from Evans, Davies and Penney (1994), although I have adapted them in a way that seems more useful to the South African policy terrain.

I pick up from Evans Davies and Penney (1994: 57) when they say:

Though concepts of text and discourse are very helpful...policy can not be adequately defined and characterised by discursive frames which may shape and therefore govern the policy process. They are also given expression in legislative and constitutional frames which regulate action, and physical frames (human and material resources) which both constrain and enable.

Evans et al do not explore these suggested legislative and physical frames as their main argument is that the subject and the state are neglected in education policy research. But I have found these suggestions invaluable, and agree that they complement the concept of discursive frames.

I have changed their suggested legislative/ constitutional frames to legislative/regulatory frames. The constitution is implied in the word legislative. The term regulation is used loosely to imply procedures and rules and more tightly to mean those guidelines which enact and regulate legislation. Thus legislation has connotations of the formulation arena and regulations of the implementation arena. The frame encompasses both arenas.

I also reformulate the idea of physical frames as explained later to incorporate the less tangible especially human skills and capacity. I prefer to call that a resource/ capacity frame and I define what this encompasses in that respective section.

Ball provided the initial idea of discourses, although I steer away from his explanations of discourse and prefer to use Hall's (as defined later). Discourses provide a tool for examining the underlying issues about the role of the state that are at the foundation of all education policy.

Note that while each of these frames is, of necessity, discussed separately, there is overlap between them, and they inform and constitute both one another as well as the features of policy making described in the previous section.



### 2.3.1.1 *Locating policy in legislative / regulatory frames*

Locating policy in legislative/ regulatory frames is necessary because policies are still made and practised in societies which are controlled (or not) in a variety of ways. There is no society without a means of self-regulation and in more complex societies these regulations exist primarily in the form of laws. Many policies are legally constituted and conflicts about them can be resolved in courts. Some policies are never legislated but are embodied in guidelines and procedures. Legislation as a form of control and enforcement is nothing new, nor is the notion of policies being contained by regulations or guidelines.

Despite doubts and criticisms about the state's capacity,<sup>25</sup> legal systems and legal enforcement remain central to understanding of societal functioning. Thus the World Development Report argues that the three core functions of the state are: ensuring law and order; protecting property; and applying rules and policies predictably. And Giddens (1993: 309) says that the general characteristics of a state are: a political apparatus; a legal system backing that political apparatus; and the capacity to use force to implement policies.

I am not suggesting that simply because a policy has been legislated, it will be implemented as intended. As has been made clear throughout this piece, I argue that decision-making and policy making continue right along the intention-practice continuum. However, despite interpretation and re-interpretation, the legal system still formalises and gives coherence to policies, and policies can be, and often are, enforced.

It is of note that calls in South Africa to make decision-makers accountable for their decisions include the recommendation that legislative bodies should be strengthened. Writing about the ethics of public management, Latib (1995: 144) specifically argues that legislative bodies should play a more important role "in controlling state officials and the implementation process." He also calls for an independent central policy unit. For him its role would be as the arbiter of government policy, but I see the suggestion itself as an acknowledgement of a general lack of policy co-ordination.

When Reins (1983: 119) lists some factors relevant to understanding when legal compliance to policy intention is strict, it is of interest that he includes "the extent to which areas of disagreement are squarely faced and clarified during legislative debate" as well as "the level of support for the law among both lawmakers and the local communities where the legislation is implemented." In other words, policy intentions and practice are closely related when all the interests are acknowledged and negotiated early on and when there is as much ownership of the policy/law as possible.

Where investigating legislative/ regulatory frames becomes complicated is when attempts are made to unpick the complex legislative realities in which policies exist. In a time of transition

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<sup>25</sup> As Offe says, a range of ideologically divergent positions (Marxists, neo-conservatives, neo-liberals and systems theoreticians) "strikingly agree in their scepticism towards the ability of the developed capitalist industrialised societies to influence themselves and their future development by means of rational government planning, control and intervention"(1996:62).

and an overabundance of policies, I am interested in this with respect to: the ways in which one policy is framed by other policies, the impact that policies have on one another; the contradictions that emerge between policies; the overlap between policies, the potential policies have to influence one another and the lack of co-ordination (or otherwise) in policy formulation in different sectors.

This study also explores the extent to which government officials keep up with new policies (especially new legislation), how aware they are of all the policies which impact on them, how they cope with the plethora of new policies, and how they interpret them. I am also interested in the indications of unintended policy consequences.

The complexity of regulations, laws and policies interacting, bumping into and jostling with one another, and often causing confusion needs to be examined and understood. Thus legislative/regulatory frames become a key element of policy analysis.

### *2.3.1.2 Locating policy in a resources/ capacity frame*

Any analysis of policy must consider resources and capacity seriously in several ways and in different spheres. By resources I mean both physical and human resources. The term capacity is equated with already existing capability and competence (i.e. it is not about potential) and refers to physical capacity in the form of infrastructure as well as human capacity in the form of skills. I am referring to resources / capacity in three ways: those which already exist, those which are allocated and those which are required. These may be different.

Resources/capacity frames will therefore include:

- human resources and capacity within the state sector at all levels from departmental to school, as well as within the private sector, and including both availability of staff (as in staff to undertake the required functions) as well as competence (as in having the skills to do the work);
- financial resources and capacity including not only sufficient funds but also the ability to manage those funds;
- physical capacity in the form of infrastructure such as electricity, telephones, usable roads (which provide access in remote inaccessible places), as well as functional transport systems; and
- physical resources such as storage facilities, security in the form of controlled access, padlocks, burglar bars and so on.

Resources/ capacity frame policy in three ways: they impact on whether policies ever get made at all, they are relevant to how policies get made, and clearly this is central to understanding the link between policy formulation and implementation breakdown.

These three ways which describe the resources/ capacity frame form inter-weaving, often unconscious and sometimes contradictory layers. Firstly, *if* policies happen is framed by resources/ capacity. In certain instances it may be necessary for new policies to be formulated,

or practice may indicate that formal policies are redundant and need reformulation. Resources/ capacity are pertinent to whether this ever occurs. Skilled bureaucrats with a supportive infrastructure are needed to respond to, recognise and manage policy change requirements.

Secondly, *how* policy making occurs is framed by resources/ capacity. The policy making process is clearly relevant to its eventual effectiveness and translation into practice on the ground. Reins' comment that policy compliance is dependent on "the extent to which areas of disagreement are squarely faced and clarified during legislative debate" is important here. In order for the policy making process to be fully inclusive and representative all parties need to have the resources and capacity to participate and to advance concrete policies. Badat (1997:30-1) points out the dangers of sidelining groups without resources and capacity during the process of policy formulation, and says that marginalising these groups is done at the peril of democratic society.

Where resources and capacity within the organs of civil society are essential for effective policy making (as Badat stresses), they are equally important within the state apparatus. If the state is ultimately responsible for policy formulation, then managing that ongoing policy process also requires a high level of skills and capability (as well as the supportive infrastructure). The need for an effective bureaucracy is made by de Clercq (1997: 22) who argues that, "bureaucracy is the key policy actor responsible for creating conditions conducive for developing an equitable, effective and democratic education."

And of course, as the literature acknowledges, how the policy-making process resolves power struggles over the allocation of resources/ capacity is relevant to what kind of policy is agreed on and to that policy's effects and outcomes.

Thirdly, the translation of policy intentions into practice is framed by resources/ capacity. This is obscured by the conceptual and practical split between policy formulation and implementation and has often meant that practical issues relating to resources and capacity have been ignored when policy was devised, only coming to light when there were attempts to translate the policy intentions into practice. Implementation practice is part of policy and thus determines an understanding of policy "content".

For policy analysts the situation is not helped by the literature on policy analysis (particularly from outside South Africa) which tends to deride investigations into those parts of implementation and practice associated with the technical, practical, administrative and the bureaucratic.<sup>26</sup> It is one thing to reject policy as if its purely technical, but quite another to neglect the technical components of policy making. A comment such as, "Some of the current theoretical and empirical explorations show a healthy disregard for managerialist and

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<sup>26</sup> These comments reflect a situation where the public service is well established and entrenched. They relate poorly to a situation as in South Africa where the public service is struggling to achieve transformation and integrate an entirely new layer of senior management often with little public service experience. In this context the recognition of the importance of management and the development of appropriate delivery systems is crucial and cannot be dismissed as a technocratic and managerialist concern.



bureaucratic conceptions of the policy process" (Troyna, 1994:4) is problematic. This may be a reaction to "...the extensive ... literature [which] is managerialist, technicist and uncritical in approach" as Taylor (1997: 23) puts it,<sup>27</sup> but there is a strong case to be made for not throwing the baby out with the bath water. While a more nuanced understanding of policy is certainly necessary, it needs to incorporate issues of bureaucracy, management, administration, resources, skills (and other practical issues), not throw them out.

As Raab (1994: 25) comments, conceptualising the relationship between the formulation and the implementation of education policy is beset with problems. Practice and practical matters need to be part of an understanding of policy making just as politics and power need to be integrated with capacity and resources. To slightly paraphrase Reins (1983:115),<sup>28</sup> "Policy and administration by their nature are continuously co-mingled and redefined at every step along the way."

When discussing definitions of policy earlier I noted that certain issues relating to resources have indeed been acknowledged in the literature, but I suggested that this was in passing, and that these need to be foregrounded. Policy analysis must therefore take place within both discursive *and* pragmatic (resource/capacity) frames.

There are indications that some of these points are being acknowledged. For example, a recent development agency report observes that effective development needs to address underlying issues as well as those of capacity and empowerment:

....work is most likely to have an impact when it directly addresses the social relationships that underlie poverty - (such as land holding relationships, territorial conflicts or having greater power to influence the distribution of profits) and which increases the capacities of the poor to tackle the relationships themselves.

Riddel cited in Bentzen et al (1996:25)

I understand this to mean that analysis must deal with both the deeper theoretical issues (such as discourses) as well as issues of resources and capacity, and how these shape policy.

These issues are increasingly coming to the fore as policies are being (or not being) implemented in the education sector (as well as in other social sectors) in South Africa today. It is becoming clearer that these issues need to be considered early on when policies are devised. A few examples should suffice to make the point.

In a report about the MTEF (Medium Term Expenditure Framework) which argues that political goals and capacity constraints have to be considered simultaneously when making social policy, the author comments, "The problem with the early policy approach of the Government of National Unity is that there was too much discussion of goals and not sufficient awareness of resource constraints" (Simkins 1997).

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<sup>27</sup> She does go on to point out that "a more critical literature has emerged in recent years" (1997:23).

<sup>28</sup> He said *politics* and administration are co-mingled.

At the level of government, a paper on the political economy of reform concludes by prioritising human resource development (particularly in the provincial sphere of government) and prioritises the “human resources crisis” within the departments (Bardill and Khan 1998: 18). The Public Service’s task team reports on the provinces (1997) which describe each provincial bureaucracy, including the respective education departments bears this out. And within the education policy literature a recent paper concludes with the argument that “bureaucracy is the key policy actor responsible for creating conditions conducive for developing an equitable, effective and democratic education” (de Clercq, 1997:22).<sup>29</sup>

At the level of schools, a pivotal article by Ramphele (1997) stresses the need for a human resource base - meaning the quality of the teaching corps - to support change in education and argues that this is not yet in place. The School Register of Needs Survey (1997) provides accurate information for the first time of the extremely poor physical conditions and infrastructure in which most schooling takes place. And a Wits Education Policy Unit report (Motala, 1997:3) remarks on the need for the Culture of Learning programme to focus on improving physical infrastructure and developing capacity for school governance and says that these are an essential pre-condition for quality education, (while simultaneously paying attention to pedagogical issues).

In summary, I argue that a more complete understanding of policy will be achieved if policy is located within the resources/capacity frame in the first place. Using this frame will be useful to an analysis if the notion of policy embraces both the formulation and the implementation arenas and avoids separating the political and the pragmatic. The “if”, “how” and “because” of policy formulation and its translation into practice will be more completely understood if the resources/ capacity frame is considered a necessary factor shaping policy.

### *2.3.1.3 Locating policy within discourses of the state*

In this section I suggest that the notion of discourse provides a helpful tool in policy analysis for investigating the role of the state. Of course, within policy analyses discourses other than those of the state are also present, and it would be useful to identify them. At times these other discourses may be definitive in the analysis. However my intention here is not to explore how different discourses impact on and are embedded in policies, but rather to point out that discourse provides a useful tool for focusing on the role of the state in policy analysis.

I argue not only that the state is central to policy analysis, but that due to globalisation the state is being redefined at this moment in history in ways that will inevitably impact on social policy, and which require careful attention.

While the state has always been acknowledged to be part of policy making, the focus of the education policy literature has swung away from it in recent times, and some policy analysts

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<sup>29</sup> As pointed out earlier in this same section Badat makes a similar point about the organs of civil society. He also emphasises that, “...human resources development, even when this entails the privileging of a certain layer of the educational and occupational structure, cannot be neglected” (1997:27).

have been accused of de-centring the state. Like many authors (including Evans, Davies and Penney, 1994; Hatcher and Troyna, 1994; Offe 1996; Ham and Hill, 1993; Ozga, 1990; and Dale 1992) I believe that the state is central to policy making. Dale has a point when he says forcefully, "A focus on the state is not only necessary but the most important component of any adequate understanding of education policy. Of that there can be no doubt" (1992:388). If applying rules and policies predictably is one of the state's three core functions,<sup>30</sup> then a way of understanding those policies, and how they are made and applied is a crucial component of policy analysis.

I will now briefly pay attention to particular discourses of the state and summarise key issues about the state today, not only because they are important for any analysis of the state and social policy, but because they provide a necessary context for the particular analysis in this study. At this point in history the nation-state itself is changing fundamentally. It is therefore especially necessary to examine these changes and the accompanying debates because they underpin the kind of policy making that is taking place as well as what that policy is hoping to achieve.<sup>31</sup>

Because of the impact of globalisation, the marriage of the nation and the state seems to be in the process of divorce, with the categories of nation and state being separated and redefined. The nation-state assumed territorial parameters, but globalisation is starting to mean that necessary intersection between the two can no longer be pre-supposed (Castells, 1997: 307). Even in situations where nation-states have been effective, questions are being asked about how they will adapt to the demands of a globalising world economy and there is general consensus that the re-appraisal of the state is common to both developed and developing countries alike (Bardill and Kahn, 1998).

At the same time, while there is still considerable debate about the degree of impact that globalisation has on the state,<sup>32</sup> no-one is arguing for a society without a state. There is still no substitute for the state-mediated mode of society's influence over itself (Offe, 1996: 66) and a government is always central to the democratic organisation of society (Held cited in Sayed, 1997: 727).<sup>33</sup>

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<sup>30</sup> As the World Bank Development Report(1997) suggests.

<sup>31</sup> For example, Morales-Gomez D and Torres (1995) point out that research is needed to study the extent to which under constrained economic and human and institutional resources the policy making process can become one of the principal mechanisms for equitable allocation of resources. They argue that the availability of funds is often a necessary but insufficient condition for good policy making. In practice some of the main problems lie in the process of making and implementing policies.

<sup>32</sup> According to Bardill and Kahn, Rodericks argues that most governments are not nearly as shackled by globalisation as is commonly believed and that states maintain substantial autonomy in "regulating their economies, designing their social policies, and in building the necessary infrastructure necessary for sustainable development."

<sup>33</sup> The notion of government and state are often used interchangeably but they are not identical. Dale suggests that the government is most closely aligned with parliament, while the rest of the state is made up of publicly financed institutions, state apparatus. He says that state apparatus develops a life of its own within the constraints of the demands made of them and that the government cannot control this overall character.

A redefined state implies a different kind of social policy, and suggests a different way of making policy, especially now when there is so much attention on partners and new relationships between the state, the private sector and civil society.

How is the notion of the state currently perceived, and what might this mean for social (and education) policy? Dominant presently is the notion of a state that "steers rather than rows", that acts as an enabler, a partner, a catalyst or a facilitator. This language of steering emerges from diverse ideological positions incorporating both the World Bank (whose 1997 World Development report was entitled "The State in a Changing World") and neo-Marxists such as Offe (1996:68-9) who writes of the state "initiating and steering", of the unburdening of the state through devolution, and of the state's ordered retreat from the exclusive domain of authoritative decision and policy making.

This perspective of an effective and essential state remains based on the notion of markets. Markets and the state become complementary rather than alternatives to one another. While the pendulum has swung back from the reign of the markets, it is not to the state as sole provider, but rather to the necessity for the state to sustain development, eradicate poverty and respond to change.<sup>34</sup> The issue no longer appears to be one of "less state" as in the neo-liberal wave (now in decline after Reagan and Thatcher) nor one of "more state" but rather one of "better state" aimed at correcting the inequalities caused by the market (Cardosa, 1993).

The state is seen as focusing on core collective goods with the rest of its present burden being passed on to citizens and communities. Partnerships with the private sector (both capital and labour), community organisations, Non Government Organisations, and households are becoming increasingly important and are taking new forms.<sup>35</sup> Nuanced and sophisticated views of the relationship between economic development, globalisation and democratisation in societies undergoing dual transitions are starting to be developed by authors who argue that "successful instances of development are premised on complex combinations of collaboration and competition characterised by intricate relations between the state and the market; between large, medium and small firms; and between locality/ region and the international economy" (Bardill and Khan 1998:9).

All of this has consequences for policy and policy making. It alters who is involved in making policy, who has to take final responsibility for social policy, how the new relationships are defined, where the parameters are set, and so on. Therefore, it is critical that any policy analysis framework includes a way of engaging with these issues. Even if they are not overtly mentioned, they will always be part of policy and articulating them is necessary to

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<sup>34</sup> An example in education where the focus is on protecting the poor can be seen in the Draft National Norms and Standards for School Funding document of 1997 which suggests that the state only has full responsibility for funding the "bottom" 40% of schools.

<sup>35</sup> "Co-production", consisting of joint participation of citizens and public administrators in the provision and production of services is starting to take place, and is regarded as a form of collaborative action which privileges citizens' active participation.

understanding particular policies, as well as to seeing to what extent they have already become relevant.

I suggest that a useful way of doing this is through examining the intricate patterns and systems of meanings which provide deeper understanding, and which help see what is “really” going on - in other words through the identification of discourses. Discourses are a system of statements which constructs an object, and provide a way of allowing us to see things that are not “really” there (Parker, 1992:5). Discourses consist of a group of statements which represent a particular kind of knowledge about a topic. These statements work together, and fit together because any one statement implies a reaction to all the others. They refer to the same object, share the same style and support a “strategy... a common institutional ...or political drift or pattern” (Hall, 1992: 291).

Note that while I am grateful to Ball (1990, 1994a, 1994b, 1994c) for the idea of using discourse for policy analysis, my understanding of discourse is drawn rather from Hall (1992). Ball stresses that which is stifling and inhibiting: “We do not speak a discourse it speaks us. We are the subjectivities, the voices, the knowledge, the power relations that a discourse constructs and allows” (1994e:22). With this emphasis, Ball’s version of discourses is tight, bleak and constraining and leaves no room for manoeuvre, for action, intervention or resistance.<sup>36</sup> This explanation of discourses also dichotomises constraint and agency rather than seeing them operating in relation to one another on a theoretical spectrum as Henry (1993:102) points out.

Hall’s perspective on discourse helps name that which underlies the obvious. The “drift or pattern” represents a “cluster of meanings” which is not consciously articulated but is present nevertheless in what is said, or not said, what is written and how it is written, who speaks and who doesn’t and so on.

In summary, I argue that one of the key strategies for policy analysis must be the location of policy within the frame of discourses of the state. Having described those factors which I believe shape policy in the form of contexts and frames, I now move on to describing two key features characterising policy making.

### 2.3.2 Making policy

In this section I will describe two key features which I argue necessarily characterise policy making. I must stress here that my focus is on an understanding of policy making i.e. those traits and principles which are central to understanding the nature of policy making. Furthermore I use policy making in a sense which extends beyond policy formulation and includes the interpretation and re-interpretation of policy.

I do not engage with those aspects of policy making which describe the mechanics of making decisions or the formal or informal strategies whereby agreements are reached.

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<sup>36</sup> Hatcher and Troyna (1994) focus on the lack of space for resistance when they respond to Ball. I believe that policy responses are not only about resistance, but include other forms of interpretation and actions.

### 2.3.2.1 *Policy making as continuous and interactive*

When describing the case of the DAE earlier, I showed how a more fluid perception of policy making is becoming part of mainstream thinking. This view of policy making as on-going is gaining support internationally as it becomes clearer that policy formation extends beyond the formulation arena into the arenas of implementation and practice. Policy changes as it is informed by what happens in those arenas. Thus it cannot be seen as static but rather as continuous and interactive.

In South Africa, Christie (1996: 68) says that she prefers to use a policy approach that sees the policy process as fluid, dynamic and contestational, with policies best understood in terms of practices on the ground rather than idealistic statements of intent or blueprints for action.

Cibulka from the US (1994:112) agrees that policy is also made during implementation when he says:

More recent research has clarified that those who implement policy, such as government agencies, contractors and even the target groups of the policy, also are intimately involved in policy design and evaluation. This makes it impossible to treat implementation as a conceptually distinct policy stage. Further, since policies frequently lack clear goals it will not do to argue that implementers are the culprits who subvert policy. Rather these implementers often reconcile design flaws and conflictive statutory objectives that many of the same people helped create at the policy's inception, a process of adaptation that makes the democratic process work better than it might otherwise. We now recognise that implementers have an explicit policy goal, not merely a technical one.

Dale (1992:394) adds from New Zealand:

While in no case can a policy fully guarantee or expect or even predict with great accuracy what its outcomes will be, it seems to me better to see that uncertainty arising from a combination of the possibilities and preferences – rather than the assumed requirements – built into the policy, and the dynamic processes through which it eventually informs changes or reinforces existing practice, than to search for ways of 'implementing' policy more 'faithfully'.

Bowe and Ball in the UK (1992) argue for a complex relationship between policy intentions, texts, interpretations and reactions saying that policies are always in the state of becoming and are never complete. They dispute the traditional distinction between policy generation and implementation, seeing this distinction as part of a managerialist perspective. They believe that the state control model serves the ideological purpose of reinforcing the generation/implementation split. Generation and implementation are continuous as policy formation will probably continue even after implementation has begun. They point out that even after a detailed policy document is legislated, policy is still being generated and implemented with both intended and unintended consequences.

A final reiteration of this point comes from Dale (1992:393) who says:



Severing implementation from the formulating of policy involves not only a distortion but a serious misunderstanding of the role of the State in education policy. It is a misunderstanding connected to the view that the State involvement in education implies ownership, control and operation of education systems, with a functional division of labour between formulation and implementation of policy. This assumption underlies the 'fidelity' perspective in studies of implementation...the shortcomings of the fidelity perspective have led rather to the search for improved conceptualisations of implementation rather than a reformulation of the problematic.

These voices could be supplemented by others, but they should be sufficient to show that internationally the view of policy as neat and stagist is being strongly countered by one which sees policy as dynamic, convoluted and interactive. The notion of iteration also describes the relationship between policy formulation and implementation in the sense that there is a continuing loop-back.

These latter voices are quoted at length here to stress a point which is a cornerstone of this study. Policy making extends beyond policy formulation. A key feature of policy making is that it is characterised by the ongoing interpreting, re-interpreting, forming and generating of policy that happens in both the formulation and the implementation arenas.

### *2.3.2.2 Policy making as the balancing of interests*

I asked at the outset what the essential components or strategies of policy analysis are. Part of the answer is a necessary examination of agency. The main way I suggest that this can be done is by seeing policy as the external expression of negotiated interests. Actors may express self-interest but also have different roles and may be representatives of other interests. These interests are all held in some kind of tension and may be balanced or compromised, and of course, these tensions exist within implicit power relations. Thus policy making touches on the nature of the democratic process and the relationship between the key parties.

Understanding policy making implies understanding who the actors are, (they may be individuals, groups or institutions), which actors are active, which are passive, which are present and which left out. Exploring the interests the actors represent may involve "...identifying the significant actors within a particular political system and exploring how those actors seek to protect and extend their authority, their institutional character and responsibilities and their budget" (Samoff, 1994:21).

Understanding policy making will involve mapping out those interests and the extent to which they are in contestation, bearing in mind that individual actors may have different and conflicting interests, and that their interests may change in different situations and may change over time. Also relevant is the timing of various interests being expressed and by whom. It makes a difference if actors attempt to influence policies when they were being devised or when they were already in practice.

My notion of interests is related to values as well as a reflection of power relations within the *status quo*. This is unlike Levin (1997) whose explanation of interests is about feeling and emotion. He sees policy actors making decisions based on psychological reasons: on the basis

of self-interest; empathy with others; response to pressure and so on. While not dismissing this perspective, I see policy actors representing interests as value/power-laden positions or points of view. Those interests are not only those of the actor as an individual, but often are of the actor representing or identifying with a group or a constituency.

Exploring actors and their interests must therefore touch on democratic process, for I assume that different interest groups will (and must) be part of the policy-making process. Unlike Rein (1983) I do not debate the merits and demerits of interest group participation. He says, for example, that sanctioning interest group participation formally might pose problems and exacerbate the dilemma of guideline development. In this framework, participation is not even a debate, it is a given. While it makes things more complex, it has become part of the bargaining terrain in which policy occurs, especially at a time when the state's role is fundamentally changing.

Levin is useful in his suggestions of exactly what strategies may be adopted to deal with conflicts of interests. Exactly how these compromises or balances are brokered and how the policy decisions get made is not the focus of this study. Levin suggests that viewing power relations (particularly formal power structures) is an alternative route for exploring policy. Unlike him, I do not see this as an alternative strategy as power cannot be discussed separately but is integral to all aspects of policy formation.

Power is an intrinsic part of understanding how interests are balanced in policies and how compromises, negotiations, trade-offs and so on occur. Policies do not represent a consensus reached but rather a compromise. Tensions of interests occur but are not resolved in an either/or way.

At best, some sort of balance is reached, and it will be uneven. Referring to policy choices, Badat (1997:30) points out "[there is an] obvious political fact that 'best' has to be determined in the political crucible of competing interests." Some interests may be ignored. Some groups may be better organised than others. Not all parties have equal power to influence what happens.<sup>37</sup> Clearly, interests and power relations must be an integral part of any discussion of policy making as well as of the location of policy.

Having developed a framework which describes those factors which shape policy and those features which characterise policy making, I will now review the literature on textbook procurement policies.

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<sup>37</sup> Badat goes on to point out that social movements and organisations lacking the capacity to engage concretely and in depth around policy issues get sidelined, and he warns of the dangers of marginalising those groups that lack the resources and capacity to advance concrete policies. It is beyond the scope of this study to engage fully with this point. But it is interesting in view of the framework developed here that lack of resources and capacity is mentioned as a reason - one with dangerous consequences - for the silencing of key groups.



## **2.4 Reviewing the literature on textbook procurement policies**

Given that the case study in this dissertation is of a textbook procurement policy, a brief foray into the literature on textbooks (specifically on textbook procurement policies) is necessary. In this section I explain how, contrary to expectation, the extensive literature on textbooks includes little on textbook procurement policy. I argue that these policy studies are more appropriately placed in the planning theory literature than in the textbook or the education policy literature, despite the policies being about textbooks.

After briefly exploring the relationship between planning and policy analysis, I find that current theories and debates in these two sectors in fact mirror one another. I conclude by reviewing what textbook procurement policy literature there is in the light of the policy analysis framework developed in the previous section, and I find that it provides a useful tool for explaining that literature.

### **2.4.1 Looking for literature on textbook procurement policies**

The obvious place to start looking for information on studies about textbook procurement policy would be in the vast literature on textbooks. An indication of its extensiveness can be seen in a book surveying the literature and research about textbooks by Johnsen (1993) which lists 554 references in the form of books and journals.<sup>38</sup>

While research on textbooks emanates from several disciplines, there are also a number of institutions devoted specifically to their study. The Georg Ickert Institute in Germany, the largest textbook institute in Europe, produces an annual bibliography on research relating to textbooks. In the former Soviet Union researchers have been publishing annual editions of a series called Textbook Development and Textbook Research since 1974. At least ten institutions in the USA do research on textbooks. Other than the State Institute for Reading Materials, Sweden also boasts an Institute for Educational Text Research, while Austria opened an Institute for Textbook Research in 1988. Japan's Textbook Research Centre has been open since 1983.

Less formalised organisations exist in the form of the UK's Colloquium on Textbooks, Schools and Society as well as the Working Group for Textbooks and Learning Materials in Africa. Canadian and Australian textbook researchers have formed a network. Two French universities have a reputation for an interest in textbook research while the university in Estonia has a special textbook research department focusing on the Eastern European countries. And of course, international agencies such as UNESCO and the World Bank also publish influential works on textbook research.

Yet Johnsen's extensive survey of the research includes nothing in the index or the contents page about procurement, provision, distribution or supply. When Apple (in Pink and Noblit,

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<sup>38</sup> In addition the author mentions an American bibliography on textbooks which comprises 467 titles, from the USA alone.

1995: 182), rightly says, "To portray what we now know about the major curriculum artefact - the textbook - would require multiple volumes by itself", those multiple volumes he mentions predominantly discuss the content and development of textbooks, the selection of textbooks, their use, their relationship with the curriculum and with knowledge in society, their production and reproduction, their cultural value and other such closely related subjects.

This is particularly strange given that the literature also indicates that textbooks remain central to education. Statements such as, "It is clear that textbooks will remain a core element of educational systems in every nation" (Altbach, 1991:257), "...the central importance of textbooks has not been seriously diminished" (Gopinatham, cited in Farrel and Heynemann, 1989: 61), "Textbooks for better or for worse dominate what students learn." (Down, 1995: 5) and "Books are the lifeblood of education" (Samuel, 1993:9) are typical. The World Bank (1995: 82) rates the textbook as the fourth most important determinant in effective primary schooling and internationally, textbooks are still considered a more cost-effective means of raising the level of school performance than other learning mediums and materials.

Effective textbook procurement is clearly essential to education. That it is a policy issue in South Africa is evident from the media<sup>39</sup> as well as accounts from schools. That it is an issue in other developing countries can be seen by the World Bank's critique of its own text book projects.<sup>40</sup> Askerud (1994: 56) describes this as an area of neglect and a World Bank discussion paper on South African education (1995:24) makes only two suggestions about learning materials in general, firstly that expenditure should not be allowed to fall below an agreed minimum amount per student and secondly that "*it is important to strengthen management of instructional resources at all levels of the system* (emphasis in original) in order to ensure that materials are ordered and distributed in time for the academic year, so that students no longer find themselves without textbooks until the third term (as was often the case in African schools)."

One might argue that there is so little mention of textbook procurement policy in either the general policy literature or the textbook literature because procurement policy is actually an administrative matter, one that must be dealt with in the implementation phase of the policy process. It could be regarded as technical and therefore apolitical, a practical decision based on rational options and not a policy at all. The choice of this particular policy might be queried on these grounds.

By now the argument in this study that the practical and the political are closely intertwined should be clear. Despite procurement occurring in the administrative arena, there is still in fact

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<sup>39</sup> In 1997 there were a number of articles in the newspapers as well as items on the radio about late delivery of books, and about the wrong books being delivered. The issue even made the main 8 o'clock TV news. Articles included "Where are the books?" and "Textbook Crisis Deepens" in the *Teacher* of February 1997, as well as an article in the *Sunday Times* in April 1997.

<sup>40</sup> Searle, cited in Read (1992 :309).

need for a policy. And hidden in these supposedly administrative decisions are important political issues about equity, efficiency, cost-effectiveness, redress, access and so on. Policies are obviously made in both the political and the administrative arenas, and these two cannot be neatly separated, they are (as Reins pointed out) continuously commingled.

Furthermore to re-iterate the point made earlier I (and others) have argued that policy making does not stop when a policy is devised, and when a policy compromise is reached. New and related policies have to be made throughout the whole process and the policy making/implementation distinction cannot be neatly maintained.

#### 2.4.2 Linking planning and policy theories

Having ascertained that this is indeed a policy issue, where are the studies of textbook procurement policy if they are not in the literature on textbooks? The literature on textbook policy issues that *is* available emanates from the Institute for Educational Planning (IIEP), other UNESCO groups, and World Bank commissioned research. Much of the writing from these organisations articulates a planning approach, as can be seen, for example, from the name IIEP itself.

What is of note is that there is a group of planning theorists who are making similar points about planning as I have been arguing about policy. Critical planning theorists such as Forester, Healey, Campbell and Fainstein are grappling with the same issues as those described in the previous sections. And in the process they are drawing on some of the same social theorists: Habermas, Giddens and Castells, to name a few.

I said earlier that policy analysis tends to focus on the political and neglects practical issues. I pointed out that some writers believe that understanding the political is reflective while understanding resources is done in practice on the ground. I suggested that this was a lopsided approach which neglected the "how to" in favour of the "what for".

There is evidence in the recent planning literature of a parallel argument that suggests that the political and issues of power are being neglected in favour of the practical, the administrative and the technical. Planning theorists are arguing that critical reflection is essential to work "on the ground". Thus Forester (1993) makes an analogous comment when he says, "...what we in the planning and policy fields, anxiously if not desperately need, is the illumination of questions of 'how to' with a politically and ethically articulate and critical sense of 'what for'."

Whereas traditionally planning was perceived to be about the physical while policy making was about the social (Throgmorton 1993:140), what seems to be happening is that both groups are realising that they cannot remain compartmentalised in their neatly defined areas. Policy analysis cannot start and stop with policy formulation. It must continue right through implementation into practice. Thus the notions of both planning and policy are being reformulated and being conceived as more interactive and inter-related.

Planning theorists state that planning functions extend beyond merely the technocratic goals to address larger social, economic and environmental challenges and that the values of democracy, equality and efficiency often clash. They also acknowledge that issues of knowledge and power are central to their work.

It is interesting that many planning theorists talk of planning and policy analysis in one breath.<sup>41</sup> Recent planning theory literature generally agrees that planning is "intervention with an intention to alter the existing course of events" (Scott in Campbell, 1993:6), surely in the same vein as the definition of policy-as-intervention discussed earlier.

I have suggested that the discourses of the state are central to policy analysis and note that much of this planning literature explores the relationship of state planning with market forces, with this duality being described as a defining framework for planners. This debate is complex with some seeing the planner's role being to make up for the shortcomings of the market, others believing that the market should be confronted every step of the way, and yet others challenging the tidy separation between the private and public sectors and suggesting that they are no longer mutually exclusive.

The intersections are clear, the same issues are being focused on with starting points in different places. Of course planning theory and educational policy literature are not exactly the same. Firstly, most planning literature is derived from urban development and housing, a different social sector, and one that may be more "tangible" (therefore possibly easier to ascertain outcomes and their success) than the educational sector.

Secondly, a crucial difference seems to be in attitude or approach. While post-modern theorists such as Ball and others can seem pessimistic and bleak, these planning theorists seem more optimistic, placing emphasis on agency and vision. The preface to a recent book can say, "Planning and public policy analysis...become processes of envisioning and attending to possible futures, shaping public attention to public possibilities" (Forester 1993:i). Furthermore, these critical planning theorists are both incorporating and challenging post-modernist concepts in a way that educational policy analysts are not yet doing.

The double challenges for the tendency for progressive values to be destroyed by the very systems created to promote them and to the systems of technocratic rationalist thought that have underpinned so much of Western bloc thinking about planning, seems so powerful as to be fatal to the idea of planning. Is there any way? It is argued here not only that there is, via the development of communicative forms of planning, but also following Harvey and Habermas, that some directions of the post-modernist challenge to planning need to be actively resisted in their turn as regressive and undemocratic.

Healey, in Campbell (1996: 239)

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<sup>41</sup> Forester, for example, has been known to refer policy analysts and policy-oriented planners collectively as planning analysts. Throgmorton says that he uses the terms planning and analysis, planners and policy analysts interchangeably, and a number of other authors including Fischer, Dryzek and Macrae almost invariably refer to planning and policy together.

It is evident that the way that new planning theories attempt to resolve and integrate technical, rational, political and democratic challenges speaks clearly to my proposed model of policy analysis. Their concerns mirror one another, and they are, in many ways, two sides of the same coin.

#### 2.4.3 The textbook procurement literature in terms of the proposed framework

How *are* procurement policy options presented in the literature? Surveyed here are Buchan's (1991) book sector studies report, UNESCO's (1994) *Guide to sustainable book provision* and three IIEP documents (1991, 1992, 1996) on book procurement.<sup>42</sup> I am interested in how policy is described particularly in terms of how policy-making features are characterised and where policy is located. As I will be using the framework for the object of analysis in this study, the WCTPP, the factors and features suggested in the conceptual framework should provide a useful guide for reviewing the literature on textbook procurement policies in general.

On the whole the dominant model utilised in the literature is a traditional problem-solving approach rooted in the assumption that policy making stops once the policy decision is made. Thus policies are described in terms of: the problem statement; reasons for the policy, policy factors, policy options and their implications, related policy decisions and criteria for decision-making, ending with recommendations for the policy decision.

There is a clearly stated desired outcome: getting books to all pupils on time. In one instance the desired outcome frames the problem:

The fundamental purpose of any school textbook distribution system should be to get books to target pupils cost-effectively and reliably on time and to repeat this efficiently year after year.

Buchan et al (1991:45)

In another the problem that needs to be solved is presented in more general terms:

Access to textbooks thus becomes the most serious problem and the hardest to solve.

Brunswic (1996: 6)

The key elements mentioned included cost-effectiveness; efficiency; actual physical delivery; access; reliability; repeatability. Although these elements could well be relevant to the interests of various actors, they are not described overtly in this way.

The principle of equity is not mentioned specifically in any of the above statements, but is implied in the slogan "A textbook for every pupil in the year 2000", apparently pervasive in French speaking Africa, (Brunswic 1991:44) and it was certainly intended in the ANC's campaigning "A book for every child for every subject in every standard" which appeared in national South African newspapers prior to the 1994 elections. Implicit in this slogan is also the notion of redress given the historical inequalities of textbook distribution in the country.

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<sup>42</sup> It is of note that these documents deal with procurement issues under the separate headings including provision, distribution and supply.

And while price is explicit in the slogan "A textbook for the price of a beer" also implicit in that statement is accessibility, since beer has no distribution or access problems.

The problems are elaborated on at length in the documents listed above. The reasons suggested are not confined to the practical or technical. They also include the social and the political. As can be seen in the table below (representing an amalgamation of all the documents reviewed) the social reasons are stated in neutral tones and are not explored to any extent.

<i>Practical/ physical reasons</i>	<i>Social/ political reasons</i>	<i>Finance-related reasons</i>
Generally poor infrastructure	Underprivileged areas being less well resourced with a concomitant lack of profitability in many areas	Distribution costs being neglected when planning book provision
Insufficient storage	The vicious cycle of illiteracy which means that there is not a book market or a book culture	The cost of distribution is determined by policy with many shortcomings due to uninformed decisions, and unrealistic assumptions as well as lack of trained staff
Difficult physical access in some places	Limited purchasing power	Most governments do not provide consistent and reliable recurrent book budgets in Africa leading to many book rental schemes
Poor transport systems reaching only to a small % of the population	National/ provincial tensions in terms of policy and payment	Misunderstanding the extent and nature of the budget: that it comprises people, premises, equipment and services with wages and transportation tending to "overrun the budget"; and the budget having to be in place year after year i.e. repeat costs
Insufficient management of distribution esp. funds	,	Money being allocated for distribution and being spent on something else

A checklist of factors to be considered is provided, options are suggested and their implications discussed. The possibilities from the documents are summarised here:



<b>Parental purchase</b>	<ul style="list-style-type: none"> <li>• no cost to state</li> <li>• no storage requirements in schools</li> <li>• distribution does not have to be state's responsibility</li> <li>• equity cannot be guaranteed</li> <li>• the state can maintain some measure of control in various ways</li> </ul>
<b>Commercial distribution</b>	<ul style="list-style-type: none"> <li>• commercial booksellers in short supply in poor areas</li> <li>• actual costs increase with distance, inaccessibility etc</li> </ul>
<b>Free distribution</b>	<ul style="list-style-type: none"> <li>• high cost to state</li> <li>• state to pay warehousing, transport, school storage</li> <li>• also needs to be build in reasonable replacement costs</li> <li>• must maintain accounting and admin. systems that work</li> <li>• school staff/ teachers to be trained to manage books on school end</li> <li>• competent and frequent inspection needed</li> </ul>
<b>Book loans</b>	<ul style="list-style-type: none"> <li>• implies state distribution or (state controlled distribution)</li> <li>• state responsibility for warehousing, storage, accounting &amp; admin.</li> <li>• teacher training</li> <li>• inspection</li> <li>• need for high production standards so books can last longer</li> <li>• need (related) policies for loss, replacement, new curriculum etc</li> </ul>
<b>Storage</b>	<ul style="list-style-type: none"> <li>• even storage can be a political decision</li> <li>• the option to storage may be frequent reprinting</li> <li>• Australian schools storage problems dealt with by trashing and reprinting</li> </ul>

The criteria for decision-making generally implicitly refer to cost, equity and access. The World Bank document is more explicit and states that in order to achieve equitable distribution, far more money needs to be invested in the distribution system and it is a matter of government policy whether or not the additional cost of equitable distribution is justified. It argues that 50-60% of overall cost could be spent reaching 10% of pupils. This might be seen as presenting the possibility of Forester's "satisfice" model, where one that does not argue for an optimal outcome but for one that "satisfices".

Clearly some sort of compromise or balance of interests will have to occur, depending on whether cost-effectiveness is prioritised over equity or not. Despite the neutral tone of the check-listed options and their implications, it is implicit that the policy-making process in South Africa will have to involve a compromise of interests.

Approaches to recommendations vary. Some authors are more directive than others. How this is handled is an important issue related to the role of the policy analysts and their relationship to policy makers. This goes beyond the scope of this study.

How is the policy discussion located? Discourses of the state are present in the questions regarding state intervention, when the state should intervene, what the role of the market economy is. While the various recommendations range in how categorical they are, there's no longer support for a welfare state which provides. Also, implicit in the discussion about the role of the planner is the notion that the planner works for the state and that planning is state intervention. Views such as that the public authorities are obliged to intervene when distribution

does not take place in the context of a solvent market makes revealing assumptions about the role of markets. It is evident that a market led-discourse of the state dominates these documents

In terms of the legislative frame suggested, there is an acknowledgement that policy decisions impact on other policy decisions. So, the point is made that there are related policies which impact on the procurement policy chosen. These are all immediately and directly related: book selection; purchasing method; state-private sector relationship; and the method of payment for distribution system. None of the documents reviewed makes the links to broader policies which also impact on this policy area.

Practical issues dealing with resources and capacity are the focus of these examples. But it is of note that difficult access is defined in extreme terms (head portorage or water transport) and that physical limitations are not portrayed as the major reason for procurement problems. What is articulated is the fact that items such as matches, beer and soft-drinks reach consumers everywhere there is a "solvent market". Thus the discourses of the state (and the market) are foregrounded, in contradiction to any preconceived notion that practical and technical frames would dominate in planning literature.

Without going into further detail (since the focus of this research is the particular procurement policy analysed in the next chapter), it does appear that the conceptual framework developed here provides a useful way of analysing and summarising the literature on textbook procurement policies.

## **2.5 Concluding comments**

This chapter has attempted to develop a conceptual framework for policy analysis by drawing on, criticising and engaging with the policy literature in several areas.

After defining policy and simultaneously providing critiques of other definitions, I summarised the trends in current approaches to policy analysis. I gave examples of some prevalent frameworks and then moved on to developing my own proposed framework. This framework is about policy analysis in general and seeks to describe the key factors shaping policy and the main features characterising policy making.

I then turned to the literature on textbook procurement policy, the object of this study's analysis, and commented on it in terms of my proposed framework. The next chapter is the methodology chapter. The study will then move on to the analysis of the Western Cape's textbook procurement policy in the light of the framework developed here.

### 3. Methodology

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This methodology chapter both describes and reflects on the methodology of this study. The relationship between the question, the methodology and the theory evolved as described here.

The research itself was provoked by a particular policy which I wanted to understand. I wanted to know what shaped this policy and how and where it could be located. I wanted to understand the central characteristics and features of policy-making in this case.

In the process of trying to answer these questions, I identified key aspects of that policy which seemed crucial to understanding it. At the same time as gathering the data for the research, I was reading the policy analysis literature. Although certain theories had what seemed to be useful conceptual categories, none of them provided a complete way of analysing that particular policy. This led me to develop my conceptual framework for policy analysis. Therefore the framework arose out of the data I was collecting about the policy itself, as well as from the theory.

In addition I was influenced by my own experiences of policy. I have worked in teaching and educational publishing for many years, with the last four being in the Western Cape. I have also attended some of the meetings mentioned in this study, although my experiences were not systematically recorded. I sought to develop a systematic framework which took into account: insights from my previous experience; insights derived from the literature; and insights derived from the data collected for this study.

The logic of the approach developed here is based on the identification of factors (contexts and frames) and features which together constitute the conceptual framework.

Firstly, I argue that policy analysis must always include an analysis of the terrain from which it emerged. I suggest that the two key contexts which influence policy are historical and spatial and that the nature of that influence must be explored.

Secondly, I argue that policy is located in frames which constitute it. I suggest three essential frames: discursive frames of the state; regulatory/ capacity frames and legislative/ regulatory frames.

Finally, I identify two key features characterising policy-making itself. Firstly, I argue that policy-making needs to be seen as continuous, ongoing and interactive, rather than static. Policy-making is not merely policy formulation. It extends into the policy implementation arena where policy intentions are interpreted and re-interpreted. I also suggest policy making must be characterised as the expression of the balancing or compromise of different interests.

Having developed this framework, I go full circle and apply it to the particular policy being investigated. Dictated by a close reading of the data, the conceptual framework is adapted to become the analytical framework.

This process seems typical of qualitative research methods whereby conceptualisations are developed as the data collection progresses. And by the same token, building theory implies interpreting data. (See, for example, Allan, 1994: 181; Rose 1985:118 and Ball 1994b: 119.)<sup>43</sup> Describing the process of developing a framework is extremely difficult. As Allan (1994:185) points out, ideas emerge in a creative fashion that is difficult to pinpoint or predict.<sup>44</sup>

### **3.1 The methodological approach**

This section describes the methods and sources of data used in the study. It also attempts to spell out the relationship between the question, the theory developed, the methodology used and the data interrogated.

Theory and methodology are inextricably interwoven:

The existence of social processes, issues and conditions in the present is the result of at least two factors - the historical process that brought them about, and the ongoing practical and theoretical conditions that maintain and reproduce them in the present...Investigations, and methodologies for investigation, are necessarily theory-laden. Put crudely, theory determines what counts, and how to count it; there is no such thing as non-theoretical knowledge.

Harris cited in Powney and Watts (1979:181)

Theory thus determines what you are "looking for" and is closely related to how you look for it. Simultaneously the data itself informs the theoretical development. So it is difficult to identify exactly how "reading" the data created the theory. Once the framework has been articulated it is more straightforward to develop an analytical framework, as I have done in this dissertation. This gives a false sense of simplicity to the analysis and discussion as it separates the development of the conceptual theory from the analysis. However this simplification is a strategy necessary for accessibility and clarity.

#### **3.1.1 Research methods**

The two methods used to obtain data for this study were interviews and document analysis, each of which is discussed further below. Having two kinds of data can be regarded as a form of methodological triangulation which assists with validity, the relationship between the account and the phenomena that the account is about. In this case, triangulation was only achieved in those instances where the subject matter of interviews and documents were the same. In several instances, the documents complemented the interviews. Even if one does not believe that

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<sup>43</sup> Allan says, "As the research progresses the researcher develops ideas about how the material fits together, and about the relationships it encompasses. A major part of this is generating new conceptualisations which link together episodes previously not seen as similar." Rose says more emphatically, "...the process of developing concepts and indicators is at the core of the analysis of qualitative data." He goes on to say (p.123) that "...it is evident that much preliminary analysis can and should be carried out during the course of the field work." Strauss and Corbin, cited in Ball (1994a) point out, "Building theory by its very nature implies interpreting data for the data must be conceptualised, and the concepts related to form a theoretical rendition of reality..."

<sup>44</sup> He also comments on something I also noticed - there is surprisingly little written in the research literature about how to analyse qualitative data.

multiple sources will bring one nearer the “truth”, having different kinds of data did indeed provide a more rounded picture, as Finch (1986:162) most persuasively argues.

Seventeen interviews were conducted:

- six WCED officials were interviewed in person;
- three suppliers representing various constituencies of the book-selling sector were interviewed (one in person and two by phone);
- one supplier representing the publishers was interviewed in person; and
- seven school principals from around the Western Cape were interviewed by phone.

All were assured of anonymity, although not all insisted on it. They are referred to by randomly assigned initials in the study, and are listed by position in Appendix 4.

Primary documents obtained included ten sets of minutes of meetings; one memo; two reports; four official letters and two versions of COMSEB’s code of conduct, all pertaining to the period between March 1996 and December 1997. These are listed in full in the Appendix 3.

Other relevant official documents used were research reports, particularly the Schools Register of Needs and the Public Service’s Report on the Western Cape Province. I also drew on other policies and legislation.

I also refer occasionally in the footnotes to interviews I did for an associated project during which I interviewed provisioning officers in three other provinces. This usually provides a point of comparison as the Western Cape’s textbook policies are unique amongst all nine provinces.

### 3.1.2 Integrating method and theory

Finch (1986:183) argues that research findings should always include an account which spells out the stages of the research, what data was used at each stage, and how inferences were drawn from them. She says that making these open to scrutiny is the ultimate test of the validity of any piece of research. The following table therefore attempts to spell out how the different data informed the different components of the conceptual framework.

	<i>Interviews</i>	<i>Documents</i>	<i>Comment</i>
<b>Contexts: historical</b>	Interviews were particularly useful in getting evidence of the problems of transition.	While interviewees tended to focus on the messiness of transition, documents provided evidence of emerging order.	Interviews and documents complemented one another.
<b>Contexts: spatial</b>	Interviews gave insight into the issues arising from the national/ provincial relationship.	Documents were useful in describing those characteristics of the WC which make it unique.	Once again, interviews and documents complemented one another.
<b>Frames: discourses of the state</b>	Discourses of the state were evident in some of the interview transcripts.	Discourses of the state could be identified in the documents, with one particular document (the WCED report to the tender board) being particularly useful.	Both were useful, and one document (a report to the tender board) especially so.
<b>Frames: legislative/ regulatory</b>	Legislative/regulatory frames were revealed to a certain extent through interviews.	The legislative/regulatory frames were hardly revealed through the primary documents.	Interviews were useful to a point, but secondary sources in the form of other related policies were most useful.
<b>Frames: resources/ capacity</b>	Resources/ capacity frames were rarely revealed in interviews through what was said. Rather, the way policy was described and assumptions made about policy-making provided useful revelations.	Nothing in the documents refers to resources and capacity but the fact of there being minutes and regular minute-taking as well other documents such as letters, memos etc was revealing in this regard.	Other sources, particularly the Schools Register of Need, Development Bank report, Edusource News, Ministry of Public Works Provincial report were useful here.
<b>Principles of policy-making: policy making as continuous</b>	Interviewees tended to focus on the formal aspects of the policy- making process.	Yet minutes of meetings showed how the policy process did not end, the policy itself was reworked and re-negotiated and showed how policy-making is an on-going and interactive process.	Both interviews and documents were useful, but documents more so.
<b>Principles of policy-making: policy-making as the balancing/ tension between interests</b>	Tensions between different interests groups emerged clearly in interviews especially when interviewing the different groups involved.	Although conflicts of interests were revealed in the documents, these were couched in formal language and the extent of the differences was not highlighted.	Both useful but interviews more so.

This table attempts to show the mutual connections of theory and method, data and theory. Certain kinds of data were required by particular aspects of the theory.

Another example of the relationship between theory and methodology is exemplified in this brief account. My original intention was to study a particular policy. My understanding of policy-making at the outset was a static one as I believed that this policy was formulated in March/April 1996. I started interviewing WCED officials in July 1997. The interviews and the



document review led me to realise that policy making was on-going, and extended beyond policy formulation. I then realised I would also have to briefly interview those who practised the policy, i.e. suppliers and school principals. Thus the initial theory (my view of policy-making as static) influenced the methods/data (interviews and documents) which influenced the theory (policy-making is continuous) which influenced the methodology (more interviews) which confirmed the theory.

The conceptual chapter interweaves the literature with the development of a conceptual framework and I describe how insights from the literature influenced the development of the framework. The chapter identifies and traces those elements of the literature which I rejected or found useful and explains why. In particular, Ball provided the springboard for a frame of discourses of the state, and I adapted Evans, Davies and Penney's suggestions of legislative and physical frames as key parts of those factors which shape policy.

The analysis chapter uses the data and the conceptual framework to develop an analytical framework. I comment on this process below, but essentially the way data is used for the analysis can be seen most clearly in the chapter itself.

I will now discuss the use of interviews and documents in more detail.

## **3.2 The interview**

I used a semi-structured format for face-to-face interviews, as it ensured that my checklist questions were all dealt with, but was simultaneously flexible enough to allow interviewees to make important points I may not have thought of.

While the interviews took different forms, ranging from question-and-answer dialogues to monologues where the interviewee controlled what happened, this did not seem to affect the eventual value of the data obtained from the interviews.

By the time I did the telephonic interviewees I had a clear idea of what I wanted to know and was able to ask more directed questions to confirm what was emerging from the data analysis.

The pilot interview questions are attached in Appendix 1 together with explanations, and the checklist developed is attached as Appendix 2.

### **3.2.1 The interview as a tool**

Interviewing in this project was one tool of investigation, an imperfect method of "getting" at issues surrounding policy formation.

According to Cockburn (1980) there are two kinds of interviews: the sociological and the phenomenographic. Sociological interviewers distance themselves from the phenomenon under scrutiny, and use the data collected explicitly for their own interests and concerns in relation to the empirical object. Phenomenographic interviewers collect specimens and analyse retrospectively. They are trying to ascertain how those inside a system perceive that system and are interested in perspectives and meanings.

I suggest that although these interviews are clearly primarily sociological (I used interviews as a tool to investigate theoretical interests), they are also phenomenographic because the interviewees' perceptions are part of the information and relevant to the theory building. The perspectives the interviewees have on policy provides a motivation for their actions and influences what they do as policy makers. Therefore, I agree with Raab (1994: 24) about the importance of going beyond the public pronouncements of policy and what is available in documented form. He comments that getting officials' personal views on the policy process is important. Meanings and assumptive worlds are essential parts of the policy process and require to be understood if action itself is to be understood. Their perceptions undoubtedly colour their actions, impact on what they do and influence the nature of policy itself.<sup>45</sup>

Interviews have advantages over texts in that they allow for flexibility and provide more than one medium of communication. Analysis can include language, register, tone, the use of silence, body language and so on. Interviews also allow the exploration of complex issues in detail. They facilitate the personal engagement of the researcher in the collection of data and allow the researcher to provide clarification, to probe and to prompt (Brown and Dowling 1997:52). These points proved true in this study where non-verbal cues could be picked up especially when the overt (spoken) message was professional cordiality but the covert one was conflict. Non-verbal messages often confirmed the messiness associated with policy.

The researcher is at one remove from the issues under investigation and will have to interpret the perceptions of the interviewee, even though those perceptions may form part of the data. The researcher assumes that the interviewee does not view events within the framework of the research and will not necessarily attempt to make the interviewee conscious of that framework. The researcher will need to account for and "translate" the interviewees' perceptions and use them as part of the analysis, as described earlier.

In addition, formal interviews within an official environment will only yield certain types of information. The attempt to track the more complex nuances of policy formation which are more private, personal, competitive and so on may well emerge obliquely within this context. In this study interviews tended to be more stiff at the outset and more relaxed as they progressed. Also, having the tape recorder on made everything more official. When I switched it off, interviewees visibly relaxed.<sup>46</sup>

### 3.2.2 Selecting the right person

Interviewees were selected on the basis of being involved in textbook procurement. But the situation was not always so straightforward. In this study in the Western Cape Education Department the person in charge of book provisioning was in the position of acting deputy

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<sup>45</sup> However, the point of the research was not to develop participant concepts, as Rose (1985:119) puts it. He suggests that one can distinguish between participant concepts - which are the terms used by the interviewees themselves - and theoretical concepts which are developed by the researcher.

<sup>46</sup> I scribbled copious notes (especially key phrases) as they spoke and immediately after the interview wrote down everything I could remember.

director when interviewed. He reported to an acting provisioning director who did not actually do this work. The directorates were about to be re-organised with the position of director falling away. While the incumbent expected to get the job he was acting in, this was not official or formalised. In addition, parts of the work fell under another directorate.

As the key provisioning official had championed the policy, I was confident he was appropriately selected. Generally I was at an advantage as I knew many of the people in the WCED and they were forthcoming with suggestions about appropriate people to see. Also, they were pleased with the policy on the whole and were therefore keen to be helpful.

In the case of the suppliers, I chose representatives of three groups: the long-standing Booksellers Association, the newer and smaller Independent Booksellers Association and the Western Cape Association of Hawkers and Informal Businesses. These provided the range of the different kinds of suppliers from the most established to the newer and most informal. I also interviewed the publisher who represented PASA (the publishers' association) on COMSEB.

The seven school principals were chosen from a list of schools in the province. They provided a spread of primary/ secondary school, urban/rural location and ex-HOR/CED/DET schools. Although the sampling was random, this is a form of quota sampling as I wanted an example of the different categories to be represented.

Principals were all contacted by telephone.<sup>47</sup> A limitation of the study is the fact that I did not contact those without phones, as having/not having a phone may have been relevant to understanding the policy.<sup>48</sup> However as only 12% of schools in the province are affected, I believe that the validity of the study is not seriously undermined.

Further information about these interviewees can be found in Appendix 4.

### 3.2.3 The interviewee as government official

The fact that the main interviewees were officials physically located in government departments is relevant to the research. Their version of "truth" would be linked to their role when being interviewed. What those same people might say elsewhere, at a different time, and in a different place/ context would make a difference to the data collected and analysed.

All except one of the interviewees were interviewed in their official capacities, during working hours, in their offices, at their desks. This might have limited the informality and relaxed sharing of information that would have been useful to understanding behind-the-

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<sup>47</sup> Of Western Cape schools 1547 out of 1770 have phones. The figures nationally are: Western Cape 88%; Northern Cape 77%; Gauteng 85; Mpumalanga 77%; North West 37%; Free State 25%; Northern Province 32%; KZN 34%; and Eastern Cape 9%.

<sup>48</sup> This was not feasible as it would have meant travelling at a very late stage in the research process to remote rural schools. Given that an argument in this study is that resources/capacity are central to understanding the policy, this is something that should have been done.

scenes tensions. Not only would their version of the truth be circumscribed by the constraints of the context, so might the degree of truth and information be limited.

On the other hand, because they were in their own offices at their desks, they were on their own turf and in control of the environment. To some extent the situation they were in might have been helpful to the interviewing process.

The interviewee's role as government official might then have implications which impact both positively and negatively on the research. Given the nature of this study and the co-operation of the interviewees, I do not think that the research was unduly disadvantaged by interviewees being interviewed in their official capacities.

### 3.2.4 The interviewer-interviewee relationship

Who the interviewee thinks they are talking to will affect what they will say (Brown and Dowling 1997:53) and this researcher effect can be a confounding variable<sup>49</sup> (Mouton 1996:148). Rather than seeing the researcher effect as a source of error during the data collection process, I acknowledge that it is necessary to reflect on who the interviewer is, as well as on the relationship between interviewer and interviewee. This is relevant as it can affect the kind and quality of data obtained.

I had two identities: student and commercial publisher. Some interviewees' knowledge of my identity as a commercial publisher may have impacted on the way they spoke to me. Presenting as a student tended to be advantageous as the tone and content of the interviewees could focus on the nature rather than the consequences of policy. My age may also have been an advantage in that I was taken more seriously.

The fact that English was not the home language of many of the interviewees may have been a circumscribing factor. Almost all were first language Afrikaans speakers, with one being a first language Xhosa speaker. Sharing a first language could well have improved the quality of the interview.

The fact that I was female in a predominantly male environment would have to be considered a positive factor as regards eliciting information and views as women are generally perceived as softer, less threatening and more sympathetic. Only three of the seventeen people interviewed were women.

On the whole, my sense was that I established suitable relationships with the interviewees and that there was nothing in the relationship itself which hindered the research process.

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<sup>49</sup> He suggests that the other two confounding variables are participant effect and context effect. I deal with participant effects in the section on the interviewee as government official. He talks of context effects as being determined by broader spatio-temporal factors (p.155). I agree that these are relevant and thus include a section in the data analysis chapter on what I call the policy terrain.

### 3.2.5 Questions and answers: asking the right questions and interpreting the replies.

As commented earlier, building theory by its very nature implies interpreting data, for the data must be conceptualised and the concepts related to form a theoretical rendition of reality (a reality that cannot actually be known but is always interpreted).

As Powney and Watts (1987:181) put it:

Data is not something that is just 'there' to be analysed, not neutral and self-evident and waiting to be discovered. It is generated for a particular purpose, derived from particular methodologies, looked at from particular perspectives and reported from particular points of view. Social processes are never just 'there'.

Thus capturing data through the interviews was not a neutral process. Once the interviews were completed I transcribed them from the tape. It could be argued that this was not necessary for interviews which did not focus on discourse analysis or content analysis.<sup>50</sup> But the process of making the transcript was useful as it meant that I listened closely to what was said and picked up points I may well have been too distracted to notice during the interview itself.<sup>51</sup>

I found Ball's (1994b: 109) suggestions of three ways of interpreting interview transcripts apt. I have adapted them slightly to explain this study.

Firstly, he suggests that the transcripts provide "real stories" as accounts of what happened. They describe events, provide accounts of character, and capture moments. They are the "how" of policy. This was true in this study where the interview transcripts provided a sense of process which was necessarily complemented by the documents used.

Secondly, transcripts provide evidence of the discourses which both constitute and are constituted by the policy. Ball suggests that discourses are the "why" of policy as the discourses explain the policy solutions. While this is a convincing point, I suggest that the policy solutions also constitute the discourse identified. In both cases the interview transcripts assist in identifying those clusters of meanings and patterns which constitute the policy discourses. Once again documents are valuable here, because sometimes underlying ideas and discourses are articulated more explicitly in documents.

Thirdly, the transcripts are representative as the data represents structural and relational constraints and influences which play in and on policy. For example, these constraints and influences might be represented within the legislative/ regulatory and resources/ capacity frames

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<sup>50</sup> Content analysis here refers to "establishing categories and then counting the number of instances when those categories are used in a particular item of text" (Silverman 1994:59). I was involved in a form of content analysis in a more general sense.

<sup>51</sup> Silverman (1993:11) argues that making the transcript is a research activity itself as it involves close repeated listening which may reveal previously un-noted features. He quotes Heritage, "The use of recorder data is an essential corrective to the limitations of intuition and recollection. In enabling repeated and detailed examination of the events of interaction, the use of recordings extends the range and precision of the observations that can be made. It permits other researchers to have direct access to the data about which claims are being made, thus making analyses subject to public scrutiny and helping minimise the influence of preconceptions or analytic biases. Finally it may be noted that because the data is available in raw form, they can be re-used in a variety of investigations and can be re-examined in the context of new findings."

developed in the conceptual framework in this study. While Ball suggests this is the “because” of policy - the way in which the way policy making is related to the ends of the state and of civil society - I would be more tentative. “Because” implies cause and effect, something that is difficult to identify. Nevertheless, identifying those influences which actually or potentially impact on policy is crucial to understanding policy itself.

### ***3.3 Using, finding and interpreting documents***

Whereas questions have to be asked and answers interpreted, documents have to be found and analysed. Documents in this study were sources rather than the objects of the study, so I do not elaborate on them at length. They provided an official story which I used to try and “get at” the underlying theoretical story.

My original intention was to rely primarily on interviews but during the interview process, I was given documents to look at. In particular two interviewees, one from within the WCED and one from the private sector, offered me their entire files on the textbook procurement policy. I had every reason to believe that that these were authentic and complete files and that between them I would have access to whatever source materials were available.

There was one instance where I set out to find a document which never appeared and all indications were that it had never existed. This was a document formally outlining the policy or a letter describing the policy to schools. Individuals went out of their way to assist, and most thought such a document had never been written. The non-appearance of this particular document was as significant to the analysis as its appearance would have been.

The documents were all official: minutes of meetings, memos, reports and letters explaining regulations. As official documents they concealed as much as they revealed. They were never written in a personal capacity, and the relationship of the authors to the document itself was always formal. On the one hand they provided a useful record of decisions made, but on the other, there were several instances (especially in the early days) when no minutes were kept. This was revealing in itself. Minutes started to be kept regularly at a point where the WCED officials started taking the forum of stakeholders more seriously.

When it came to interpreting the documents I tended to use them collectively rather than individually. I was interested in the patterns revealed over a series of meetings, for example, the list of actors who attended and when. This helped get a sense of which policy actors influenced policy and when, and contributed to my conclusion that policy-making did not stop once policy was formulated. On the other hand by not recording the emotions and conflicts inherent in policy-making documents can present the process as less complicated and messy than it is.

I did analyse selected individual documents: the WCED report to the tender board about the policy was particularly valuable and helpful in analysing the discourses of the state in which the policy is embedded.

Documents certainly assisted with the “what” of policy, as they provided official records of bureaucratic “truths”. By using them together rather than individually, documents also



assisted with the “how” of policy. In so far as identifying discourses does indeed assist with the “why” of policy then the documents were useful there too.

As Ball points out (1994b:110) the same data can be subjected to different kinds, types and levels of interpretation. Another researcher would find these same documents interesting in different ways. I have tried to describe both here and in the table how they were useful in this study.

### ***3.4 From conceptual to analytic framework***

As explained earlier the conceptual framework was developed partly from the data and partly from the policy literature. I then broadly applied that conceptual framework to the case being investigated. The conceptual framework therefore shaped the analytical framework.

The analytical framework took on its own form according to the data being analysed. It was important to have an open mind when studying the data in order not to be clouded by preconceptions. Firstly the broad headings derived from the conceptual framework needed to be elaborated on and sub-headings and categories developed. Secondly the data itself reshaped the framework and the focus changed. The analytical framework thus has its own unique components and sub-headings emerging directly from the particular policy being analysed.

Two examples will show how the conceptual framework’s categories had to be elaborated. The first is the analysis of the historical context. It is obvious in general that the recent educational context is characterised by transition and change, and a look at the data confirms this. What might have been ignored is that this data also shows evidence of emerging order, possibly even parallel to the messiness. Hence the categories for this context are change, messiness and emerging order and the data supports these categories.

Another example is the analysis of the way policy is located within a resources/ capacity frame. Given the centrality of the state, it would have been possible to focus on resources and capacity within the department and within schools. Studying the data makes it clear that the private sector is also a key site, one that is important to analyse in order to understand the policy fully. These two examples show how sub-categories developed from the analysis itself, even when the broader conceptual categories were applied.

In addition, the emphasis in the analytic framework is different from the conceptual framework because it is dictated by the data itself. So, while the conceptual framework stresses the two central principles underlying policy-making, the analytic framework concentrates on the one, that of policy-making expressing tensions or balances of interest. That is because interests (harnessed, compromised or balanced) were a feature of the policy. The data revealed them to be central to the analysis. Certainly the other feature identified in the conceptual framework is also relevant, and policy is revealed as on-going and continuous but the data does not demand that the same complexity and attention is applied to this feature.

More than the conceptual framework, the analytic framework divides logically and implicitly into two: structure and agency. Structure can be analysed in relation to the two

components identified in the conceptual framework: contexts and frames. But the data takes agency further. As mentioned, the feature of policy-making being underpinned by interests is explored at length. In addition, the various roles that actors play emerged as crucial to the analysis. This means that three further categories are explored: actors as stakeholders, actors as representatives and actors as champions.

In summary, it can be seen that while the conceptual framework can be (and is) applied to the particular policy being analysed, it is the data of the policy itself which creates the patterns and categories of the analytic framework.

### **3.5 Concluding comments**

I would like to conclude with the issue of validity. Maxwell (1992) suggests that theoretical validity has two components. He suggests that the first is the validity of the blocks from which the researcher builds a model or constructs validity. These blocks in this study would be the conceptual components.

Secondly, theoretical validity is about the validity of the way that these blocks relate to one another - he calls this internal validity. The issue is not whether there is agreement about the facts of a situation, but rather about the legitimacy of the application of a given concept.

If one agrees with his view that theoretical validity depends on whether there is consensus within the community concerned with the research about the terms used to characterise the phenomena, then in the final analysis I can only argue that this research is valid by attempting to establish coherence between my question, the theory and the data. It is for the reader, as a member of that research community, to decide whether or not I have succeeded.

## 4. Data analysis and discussion

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### 4.1 Introduction

This chapter provides an analysis and discussion of the Western Cape Education Department's textbook procurement policy based on the data obtained from the interviews and documents described in the methodology section and listed fully in the appendixes. I also use other official sources.

The analysis developed by both applying the conceptual framework and by allowing the data itself to dictate the shape, categories and emphasis of the analytic framework.

Because of the imprecise form of this policy, in the introduction I define it in terms of form, content, status and effectiveness. I then use the data to provide a chronology of the policy process. Simply articulating and listing these events makes it clear that policy-making cannot be seen as static, but continues beyond the policy formulation process, and through into the implementation arena. Policy formulation is limited to the devising and expression of intentions.

The analysis is implicitly divided into those factors which shape policy, and those which characterise policy-making. I argue that policy is located within contexts and frames which shape it and give rise to it. These contexts and frames both constrain and enable.

Using the data, the impact of time and place are acknowledged by locating the policy historically and spatially within the particular context of the Western Cape. I also locate the policy within the three frames developed in Chapter 2: the legislative/ regulatory frame, resources/ capacity frame and the frame of discourses of the state.

My focus on agency is on actors and on the key features of policy-making. As explained in the methodology section, my original intention was to study how policy was made, in the sense of being devised. My understanding of policy making at that point was narrowed to what I now call policy formulation. I came to realise that the distinction between policy and policy making is fluid, and that the focus of my study would be understandings of policy, in the sense of what shapes and characterises policy. When I explore policy-making I am not examining the mechanics and strategies of making decisions. Rather, I am exploring the shared understandings and the principles underlying the making of policy.

Central to the analysis is that a key feature of policy-making is the continual tension and balance of interests expressed in policy. This is explored in detail.

In summary, this analysis attempts to answer the original research questions. How best can this WCTTP be understood? How does it "work"? What are the key features of this policy and what factors have shaped its emergence? How are they manifest and what do they reveal about the policy itself?

#### 4.1.1 Is this a policy?

The policy that is the subject of this analysis is variously called the open system, the new textbook policy, the open textbook policy, the supply policy, the open system and the new system. It has no official title.<sup>52</sup>

This inexactitude even at a descriptive level means that before entering the heart of the analysis there are some issues which need attention. In particular the policy's form, content, status and effectiveness must be elaborated on. This serves a dual purpose: it describes and defines the policy itself; but it also shows how a policy can function in practice and be a purposeful intervention despite existing in an imprecise form.

How does one know that this *is* a policy, especially as it is not written down as such? Earlier I agreed with Levin's suggestions that policies have key attributes: "belongingness", commitment, status and specificity, and I concluded a discussion about the nature of policy by arguing that a policy denotes intention, action, practice, status, power and commitment of resources and capacity. These attributes can be used as criteria to ascertain whether indeed this is a policy.

This policy certainly has "belongingness" as the COMSEB minutes show. Not only did all the officials in the WCED interviewed "own" it, but several claimed credit for its conception. Furthermore, all the suppliers and other stakeholders, as well as the school principals interviewed owned it too, and showed their commitment not only by embracing it, but also through the amount of time spent discussing and refining it at COMSEB meetings. It also has champions in both the WCED and the private sector.

The open supply policy is also a specific policy despite its interwoven relationship with other policies. It can be clearly defined, and I do so below.

The policy exists in both intention and practice. It is more than an intention expressed as a decision. It has been enacted and acted upon. It intrinsically deals with issues of resources and capacity and the fact that power is central becomes partly explicit though the existence of COMSEB, a framework for mediating power relations between the different actors.

The complexity of its status is discussed further in Section 4.1.1.3 below.

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<sup>52</sup> Confusion occurs because in the Western Cape both textbook selection and supply are "open". Open selection means that there is no textbook list issued by the province as there is in all other provinces. Teachers simply choose from the books available on the market, although they are advised to get help from departmental subject advisors. A version of the open supply policy has recently occurred in Gauteng and the Eastern Cape in a slightly different form.

#### 4.1.1.1 The form of the policy

This policy does not exist as an official policy document<sup>33</sup> and at least one senior official did not think that it was necessary to write up the policy in the standard way:

*...when we made these decisions it was before we had formally put our policy process in place, now we've got a very strong policy process with a special policy committee, all policy comes to us in a standardised form. We've not gone back to that process we've not thought it necessary...because there was a decision that we would go this route...we think that the work we've had to do is with the Tender Board...that sorts of shapes policy. So if we were to write the policy it would really be putting all of these pieces together so we haven't gone back to do it. (Mr GG )*

Yet there is no doubt that this policy exists, that it is acknowledged and that it is utilised, implemented and interpreted in practice. It provides an example of a policy that exists not as a law or a formally stated policy document, but rather in the form of practice and procedures. The procedures which are enacted implicitly contain the principles on which it is based. It is certainly used, commonly accepted and owned. Some policies exist as formal documents and are never enacted (thus rendering them potentially meaningless). This policy exists, but takes the shape of practice and procedure, rather than by law or a formal document.

This is not to say that there is no written explanation of the policy. The written processes and procedures which enable the policy to function, be publicised and to be acted on exist in the form of:

- A letter from the WCED. to all WC schools, of 25 July 1997 entitled Provisioning administration: requisitioning textbooks and prescribed books
- A report submitted by the WCED's provisioning section to the WC Tender Board and entitled *The report on the new procedure for procuring textbooks adopted by the Western Cape Education Department from the period 1 August 1996 to 31 March 1997*
- The code of conduct (the ratified version of 31 October 1997) put together by COMSEB, the Committee of Stakeholders in the Educational Book Chain

The letter sent to schools simply lists the procedures to be followed for book procurement. It comes with the list of suppliers registered with the WCED (all of whom have agreed to a standard 10% discount and have agreed to abide by the code of conduct) as well as a copy of the code of conduct. It requires the forms to be returned in quadruplicate by a date a month away, and specifies that if books are delivered late principals should deal directly with the supplier and not with the department.

This letter is an instrument of the policy. It does not explain, support or justify the policy, indeed does not even state that it is a policy, but simply enacts it. But there are significant changes for schools. For many schools what is new is that they will be dealing directly with suppliers for the first time. For others they now have a choice of 53 suppliers rather than the previous two.

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<sup>33</sup> A retired official involved in its development expressed concern that the policy was not formally written up and felt that it was an expression of the lack of skills brought into the department by newer employees.

#### 4.1.1.2 The content of the policy

In order to analyse the policy, one needs to know what it is manifestly about. While there is no document called WCTPP, there is a report that explains it. This report submitted by the WCED's provisioning section to the WC Tender Board - entitled *The report on the new procedure for procuring textbooks adopted by the Western Cape Education Department from the period 1 August 1996 to 31 March 1997* - is the closest the policy comes to existing in an official form.

This report says that the new procedures arose out of a conference of all stakeholders and that the following recommendations were approved by the WCED policy committee:

**That schools should be allowed to buy directly from any bookseller approved by and registered with the WCED** (bold in original).

On the need for booksellers to be registered

- Each school should be allowed to buy from the bookseller(s) of its choice
- The relationship between school and bookseller is to be strictly service related
- Entrepreneurial opportunities should be encouraged in accordance with the principles of the RDP
- Schools should be able to make their own choice of published books
- Publishers and /or booksellers should be allowed to supply books to schools at a predetermined discount
- That there should be a code of conduct regulating and monitoring the policies implemented
- Schools must submit their requisitions to the relevant area office
- The area office will submit the order to the approved bookseller of the school's choice. The name of the designated bookseller must be indicated on the schools VR V1904 and VR V105 forms
- Schools must ensure that their books are delivered on time and submit the invoices to the area office
- The area office will arrange for prompt payment of the order

Of interest in this report is that although the WCED is handing over supply to the private sector there runs throughout these documents a strong regulatory tone of control and authority. Thus the suppliers will have to register with the Department and the suppliers will have to agree to certain conditions: they have to exist as primarily companies whose main aim is textbook supply, they have to agree to abide by the code of conduct, they have to be registered, they have to agree to a 10% discount, they have to comply with specifications set by the Bureau of Standards, they have to deliver within 30 days, and so on.

Furthermore the supplier's contract is still with the Department, not with the school despite the fact that the relationship will now be directly with the school. It is the Department that reserves the right to terminate a contract with a supplier. Certified invoices will still go through area offices, meaning that the Department maintains control over the whole process.

The code of conduct went through several versions between March 1996 and October 1997. It was drawn up by COMSEB with participation from all the stakeholders involved in book provision. The contents include the background, identifies stakeholders, provides a statement of



beliefs, spells out the relationship between suppliers and the Department, provides a modus operandi and concludes by suggesting monitoring procedures.

By stating that the purpose of the document is:

...for the WCED to regulate the purchase of materials and the relationship between the various members of the book chain

it reaffirms the dominant role of the state as that of primarily responsible for provision.

As discussed later, other points of relevance include the belief that educational principles should take priority over commercial imperatives as well as a commitment to the RDP, to efficient delivery and to a competitive and free market. The code says that all procedures should first be discussed with all stakeholders and states that the code and related procedures will be monitored by COMSEB and “disciplinary measures will be considered” against those who do not comply.

#### 4.1.1.3 The status of the policy

While this policy does have status, it is fragile, and untested legally. In particular the code of conduct has no legal standing. It has status in that there exists a very broad consensus about what it is, what it involves and what its scope is. It has status through ownership, commitment and acceptance. It operates within clear parameters. Suppliers deal with schools and all evidence is that they provide a quality service. They are paid by the Department.

Despite clear support the WCTPP sits uncomfortably and contradictorily within the framework of the Schools Act which by implication allows for direct supply to schools, individual relationships and private school-supplier negotiated discounts. Schools have not yet realised these implications of the Act. Thus policy exists in a state of fluidity, as something about-to-be. It is unstable, it is filled with potential and unrealised possibilities.

Only the assistant provisioning director and the head of education acknowledge that there is a contradiction between the policy and the Act. While the policy has been developed quite separately from the Schools Act, the convergence of the two implies that schools ought to be able to negotiate their own discount with the suppliers directly.

Thus Mr KK comments:

*They [schools] will be able to go to any bookshop and negotiate any price they want*

and Mr GG says:

*I don't know what would happen if a school did challenge this [discount]. It is partly a response to the concerns of the suppliers both big and small particularly the smaller ones. [They are concerned] that the big ones have the clout and they can slip things under the table and so the chances are of them getting the orders...but what kind of legal position this has I'm not sure...*

In fact, he even says that this is a policy which “one could drive a bus through”, yet which seems to work. He said that as it clearly served a purpose there was no need to disturb its fragile status. As mentioned earlier, the informal status of the code of conduct was also acknowledged.

Similarly, the chief planner acknowledged:

*The code of conduct is a very difficult kind of document you know. It's not a legal document. If people don't act according to the code there's nothing which anyone can do to them unless they contravene one of your regulations - laws, whatever. (Mr NN)*

The code of conduct was described as a "gentleman's agreement" by one of the stakeholders, and particular concern was expressed by several interviewees about the Department's probable inability to enforce it. Yet despite its fragility, this gentleman's agreement remains in place and provides a framework in which competing interests are and can be mediated.

#### 4.1.1.4 The effectiveness of the policy

In spite of its unusual form and its fragile status, this policy is described as effective by those involved with it throughout this analysis and discussion. Its effectiveness is a reflection of its status as agreed policy no matter how "loose" this policy may be.

Usually success is determined by ascertaining whether objectives have been achieved. Although there are no clearly laid out objectives, the primary objective appears to have been efficient delivery. (This is spelt out more clearly later in the section describing the state's interests.) According to the WCED report to the Tender Board delivery had improved and 80% of WC schools had textbooks by January 1997. By August of the same year 97% did.

Given that the WCTPP is about procurement, the objectives of the Green Paper on Procurement might be criteria for success. Using the Green Paper's objectives as criteria then the policy has been a success. The number of suppliers in the province grew from 2 to 53 and the number of people employed by those suppliers shot up from 13 to 171 between March 1996 and August 1997. Most of the new suppliers are small businesses owned by previously disadvantaged groups.

If the objectives of the White Paper on Transforming Public Service Delivery (WTPSD) provide criteria for success, then several of its objectives are achieved in this policy. The policy making process has been consultative (see the formation of COMSEB), service standards have improved (according to all interviewed) and information sharing has improved. (These are some of the principles of *Batho Pele* spelt out in the WTPSD which is discussed further below.)

In particular, the fact that all parties were involved in the formulation of the policy also seems to be a measure of its success. As Badat (1997:24) points out, "...the nature of the process (the extent to which it is democratised) has an important bearing, not only on the content of the policies themselves, but also on the legitimacy of the policies adopted." The relative satisfaction of those involved in formulating and enacting the policy is clear. The WCED, the suppliers and the schools all felt that they had benefited in their own respective ways.

Those suppliers<sup>54</sup> who have never had access to the school market were positive. This comment is typical:

*The new system is working well although it does have its flaws. It works for the small guy...The last 16 months have been great, the RDP principles are finally in effect, and the small guy is finally getting the opportunity and access to business as the previous tender system kept us on the sidelines.*

Mr MM

School principals<sup>55</sup> throughout the province were complimentary:

*Before the suppliers gave us no assistance, they didn't give free samples, they only promoted their own stuff and their service was poor. Also they only delivered by post, and usually it was the wrong things. Now we choose our own booksellers, they show samples and a whole range of books from all the publishers. Delivery is much better, and now we get personal service and help.*

Mr HH

and:

*...the booksellers help us a lot with advice. They give us lots of catalogues and they help us fill out the requisition forms. They leave the selection to us, they don't interfere with that. They come to us, lots of people come to us. We use booksellers in Cape Town. There are no suppliers based here [in Saldanha]. It's not a problem that we are far from Cape Town, they still help us.*

Mr JJ

All principals spoke of improved delivery times and of the correct books and quantities arriving. They were pleased that suppliers are showing them new books, thus assisting with the implementation of the new curriculum. And finally the WCED is pleased as delivery has improved and their own procurement directorate could be down-sized.<sup>56</sup>

#### 4.1.2 The chronology: policy-making as ongoing

What follows is a chronological account of the history and origins of the policy as extracted from the interviews as well as from the minutes and memos listed earlier. The chronology does two things. Firstly, using the data, it simply provides a description of events. Secondly, it shows how policy-making continued after the policy had been formulated. The policy was formulated and re-formulated. It was devised, presented, interpreted and changed. Policy-making is ongoing. It did not stop once the policy had been formulated.

Meetings early in 1996 took place between the WCED and individuals representing organisations involved in book provision. At the time the focus of the meetings was on the

<sup>54</sup> Of course the suppliers who had previously dominated the market may not be as pleased. Schools commented that these suppliers were improving their service as they now had competition.

<sup>55</sup> These comments and observations were from ex-HOR and DET schools. Ex-model C / CED schools were already used to dealing directly with suppliers as can be seen from the summary of previous procurement policies provided in Appendix 6.

<sup>56</sup> Of interest here is that the Department efficiently passed on the work of explaining the new policy and the intricacies of the system to the private sector booksellers and to more skilled schools at the local level. One principal from an ex-DET school described how her colleagues in the same circuit from ex-HOR schools helped her with the new policy.

opening up of book selection.<sup>57</sup> A code of conduct for selection was discussed and it was noted that a code of conduct would also be needed for procurement (Memo of 17 April 96). These meetings were called by the curriculum directorate which operated quite separately from the provisioning directorate, despite the fact that matters of book provision overlapped extensively in both directorates. Publishers and booksellers were required to attend separate meetings with each directorate on consecutive days, on 19 and 20 March 1996.

The minutes of 16 March 1996 recommend that "a standing committee representing the publishers, the booksellers, the schools and the Department should draw up a code of conduct for publishers and act as a group monitoring the transitional process." The seeds of COMSEB were sown.

At this early stage one of the publishers was asked to draw up a first draft of a Code of Conduct while a WCED official would "see to it that all stakeholders receive a copy for comment". There is no evidence of a discussion clarifying exactly who a "stakeholder" might be.

At the meeting with the provisioning directorate, publishers were told that the provisioning options were being reconsidered and the four potential options were named and discussed. The Department solicited the opinion of the publishers and the booksellers regarding which might be the best option. They ended by saying that they would let everyone know "which of the four options they would ultimately select" (See PASA memo of 29 March 1996). Parallel meetings with the curriculum directorate continued.

In April a one-day open meeting was called by the WCED and held at the University of Cape Town. This appeared to be a combined effort of the two directorates and was opened by the provisioning director and introduced by the curriculum director who said the aim of the conference was to "decide what the best solution will be for the procurement of textbooks for schools" as previous systems had been disappointing. Presentations were made regarding the complex chain of book provision. The meeting ended with the curriculum director asking "two representatives from the Department, booksellers, publishers, principals and organised labour to stay behind to draft a proposal regarding how a new system might work." The proposals from the meeting included the following:

That schools should be empowered to buy directly from registered/ approved booksellers. Publishers/ booksellers should be allowed to supply books to schools at a pre-determined discount.

There should be a code of conduct regulating and monitoring policies implemented.

From 11 April 1996 Minutes of the conference regarding the procurement of text and prescribed books for the WCED. The minutes also state that "There should be a code of conduct to satisfy everyone's needs."

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<sup>57</sup> The initial concern about textbooks had to do with accusations of corruption. Departmental officials were accused of ensuring that textbooks which they had authored were chosen for use in schools. The issue became less urgent when the selection system was dropped and schools could choose any book available.

Thus the open supply policy came into being. There is no record of how the proposals were formalised nor of how a 10% discount was decided on. The minutes note that the schools currently received a 28% discount and that on an open market they would receive the usual 7,5%. It is unclear how the open market discount was “upped” to 10%.

On 19 August 1996 a letter went out from the office of the Head of Education to the publishers. It is worth quoting in full because it sums up the key elements of the WCTPP.

The WCED has for the first time with the help of all concerned in the book supply chain developed a system whereby booksellers will be able to supply prescribed and textbooks at a predetermined discount of 10%.

The new supply method would ensure:

- a) that schools receive efficient service
- b) the growth of small booksellers
- c) new business opportunities

In order for these objectives to be met this Department requests your co-operation in the granting of credit to booksellers. It would be appreciated if publishers would not be rigid in their evaluation of the credit-worthiness of the booksellers concerned and if they will consider ways to enable small booksellers to enter the market.

There is no record of a letter explaining the new system going out to schools, only this one to the publishers. One interviewee believes that it is possible that such a letter was never sent while others think that it was sent but was not kept on file.

At this point the policy is usually “made” and in a traditional analysis the story from now on would move into another arena, implementation. But as this was not a linear process, the policy continued to be refined, discussed and argued over. This happened through on-going COMSEB meetings as well as the development of the code of conduct which went through numerous drafts and was finally ratified in October 1997, more than a year after the policy was first “made”. This final draft was influenced by policy actors who had not been vociferous at the outset, particularly teachers arguing for redress at school level.

Agreeing to abide by the code of conduct was one of the criteria for registration late in 1996 (in order to supply schools for the 1997 year) but the code was not a stable document. The code differed at various stages in the process and the original code suppliers agreed to was not the same as the final code.

The stakeholders committee became formalised into COMSEB.<sup>38</sup> This committee, formed in rather an ad hoc way over a specific issue, broadened its discussions to all book related issues and the minutes reflect discussions about the development of policy materials for Grade 1 for Curriculum 2005, audio visual and electronic materials and prescribed books. It was in this forum that the reported transgressions of the code of conduct were raised. (See minutes of summary of the working group meeting on the code of conduct, held at the WCED on Friday 6 June 1997). By the time this study was concluded at the end of 1997, there is no evidence of action against transgressors having been taken by the state.

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<sup>38</sup> By the end of 1997 the name was COMSEM as the introduction of Curriculum 2005 influenced the change of the word “book” to “learning materials”.

This chronology shows how unstable the process of policy-making is, how policy-making is on-going, how the representational process is imperfect and how change is the one factor that is constant. It also begins a discussion about the regulatory state which is explored further later in this analysis.

## **4.2 Locating the policy in context**

Key factors in understanding how policy is shaped are the policy contexts of time and place. In this section the data is analysed in order to identify those aspects of the historical and spatial contexts which impact on the policy and shape the set of understandings which constitute the policy.

### **4.2.1 Historical context: transitional times**

This policy was developed and implemented post-1994, post the integration of the provincial departments. During this period of uncertainty and change, there was lack of clarity about the “facts” of the actual policy, different understandings of the implications of the policy and disagreement about the history of the policy and how it came into being.

There are indications of changes in the broader environment - educationally, administratively and socially - and of unresolved issues relating to the past. Yet in parallel to all this are signs of order emerging out of the disorder.

#### **4.2.1.1 Change**

Change was the backdrop for this policy, as it was throughout the education sector and elsewhere at this time. After 1994, and particularly after departmental integration in 1995, there were manifestations of staff changes, old guard-new guard tensions, new ways of doing things and pressures to deliver.

Three of the senior people involved in developing this policy in March 1996 had “taken the package” by the end of 1997 when this research ended. Two of their replacements were already in the Department, of which one had been involved all along. The third was not replaced - his department was restructured as a result of the policy itself. In his case, one of the staff in his directorate, a driving force behind the new policy, had been offered a more senior position in another province but was persuaded to stay on.

Old guard - new guard tensions were reflected in the fact that the official head of provisioning never attended key meetings, and barely participated in the creation of the open supply policy. It was suggested by an interviewee that the few officials from the ex-DET may have been having difficulties establishing themselves in the new WCED.



The difficulties of integration were manifest in meetings where participants listed generally include no ex-DET officials, and did not reflect the demographic make-up of the Western Cape.<sup>59</sup>

Interviewees acknowledged change, the pressure they were under to change, and the dangers associated with change:

*You see again that initial transition stage was a very interesting one from the point of policy formulation, and obviously we haven't finished with that transition stage, but what I've found quite often was that people made pragmatic decisions in the light of the pressures of the time, [...] And one then often sees how those pragmatic decisions that were supposed to be ad hoc decisions, how they then become policy. [...] I think during the transitional stage that is one of our greatest dangers - that pragmatic decisions become policy, and people don't have time to reflect. Now you put a whole system into being and the people start acting according to that, and now it becomes a major thing to change. (Mr NN)*

The policy context then was characterised by change, the pressures of the time, and the difficulties of transformation. These were the parameters in which this policy was located. Therefore it can be seen as a reflection of the times that the WCTPP was fluid and that the associated code of conduct went through several draft versions.

#### 4.2.1.2 Messiness

A transitional environment can be disordered and confused, ambiguous and unclear. At the outset of the new policy, meetings without clear agendas occurred where no minutes were kept and mutual recriminations dominated discussions. It was at least a year before a secretary to the stakeholder group was appointed and proper minutes taken. Thus:

*When we started off we didn't call ourselves COMSEB we just started with meetings. Initially it was them [the WCED] blaming the publishers for everything, curriculum and provisioning. Any problems they could they blamed on us. They were performing badly, they didn't deliver the books on time themselves because they didn't get the orders through on time and they didn't know what their policy was going to be ...(Ms PP)*

The environment of uncertainty has meant lack of clarity in particular and in general. This lead one ex-CED official to comment in contrast:

*I'm not saying that what happened in the ex-CED is all bad in terms of having what we nowadays refer to as a clear vision, agreement on shared values, and I think it operated according to that. You could almost send out anyone to go and explain policy and you could trust teachers that they would implement whatever they did within that understanding of what the so-called policy was. (Mr NN)*

Even when an 'agreed policy' in terms of content was put in place there was no consensus about various aspects including its status. The various officials and stakeholders interviewed were not in agreement about the policy's status with some believing that it still had the status of an eighteen-month pilot and others saying confidently that the pilot period was over and that the pilot policy was now permanent and has official status.

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<sup>59</sup> The WC is a province where DET schools comprise less than 10% of the total number of schools. Of 1725 schools in the province, only 116 were DET schools. These are 1994 figures, from Verwey and Munhedzi's (1994) report for

### 4.2.1.3 *Emerging order*

Despite the confused and problematic circumstances, a new policy has emerged for book procurement in the Western Cape, one which is considered successful (as argued earlier), one which was developed by consultation with a wide range of stakeholders, and one which seem to have succeeded in its intentions.

Unlike several of the other provinces, book procurement has not remained problematic (or worsened), but has greatly improved. COMSEB's emergence out of the transitional times and its becoming a useful forum and a structure "where debate can occur safely" (as one interviewee put it), is an indication that things are settling down and that new, effective ways of doing things are emerging. COMSEB started as informal meetings between publishers, booksellers and the department, and it took almost six months for the provisioning and the curriculum directorates to sit down at the same meetings. Yet it has become a forum which meets regularly, where minutes are taken and decisions usually acted on. Several directorates from the department now attend COMSEB meetings; these include provisioning, curriculum, educational library services, the ABET directorate, examinations and the technology directorates. Representatives from principals associations, teachers associations, librarians, three associations of book sellers as well the publishers association also attend regularly.

In summary, the historical context gave rise to the WCTPP in that the evidence of change, transformation and messiness seen in the policy were a reflection of the times and of the broader policy terrain. At the same time, the policy itself was an example of some kind of order emerging from the chaos of transformation.

### 4.2.2 *Spatial context: the Western Cape*

The policy's specific spatial context in Western Cape province must be explored on two counts. Firstly, the vertical relationship with the national department is relevant to any policy analysis in a context where there is still lack of clarity over roles and functions between provincial and national departments. Thus the spatial context as province is relevant.

In addition, the Western Cape has a unique identity. It is the only Nationalist-led province, with a Nationalist Education MEC, making it one out of only two of the nine provinces to be led by a political party other than the ANC. It is also considered the most well-resourced and highly skilled of the provinces.

Since this analysis sets out to identify those factors which shaped the WCTPP policy, the next section briefly examines these two aspects of the province which evidently are relevant to understanding how it emerged as it did.

#### 4.2.2.1 The national/ provincial relationship

While the department's relationship with the national minister arises from legal aspects of the constitution, it emerges as an important issue that defines policy formation at provincial level.

Common to policy making in all the provinces, there is still uncertainty and mixed understanding about the extent to which policy "comes from Pretoria" and the extent to which policy is made at the provincial level. Clearly officials realise that often policy frameworks are put together nationally. In some ways provincial officials perceive that policy is made centrally and implemented provincially.<sup>60</sup>

So, one official commented:

*You know when you go to Pretoria and you're sort of the selected ones because then you know you're at the place where policy is now being shaped - it gives you this great satisfaction. (Mr NN)*

Yet he then went on to comment that policy making happens even when national policy is being implemented:

*At a macro level, we as a department are not policy making - we execute national policy, but in what we do, one also needs guidelines. So you can call those guidelines policy... (Mr NN)*

Thus there was acknowledgement that implementation also involves making policy. Interpreting national policy intentions means developing guidelines which is in itself policy-making.

The official responsible for provisioning said that the state provided a framework through the Provincial Tender Board regulations and that the National Education Department could not override WCED policy decisions about provisioning. Only the courts could do that. He also mentioned the Schools Act setting parameters to the way provisioning could work.

He was clear about the parameters of his role in making policy:

*We determine the policy with regard to the provision of books in respect of how to procure goods and services. We determine the policy. Not what type of item is to be procured but the mechanisms in going about procuring these items, whether it by tender or whether it be a break-out procurement system which we now have in terms of the textbooks or whether it can be from the state department that can provide the services. The other part of the decision making with regard to books especially prescribed books would be Curriculum Development. That's why its important for us to work closely together.*

His confidence was echoed by a senior director:

*Now setting a policy [about textbooks] is in the department's realm and the Western Cape decided that they would like to investigate a less autocratic and formalised approach... (Mr BB)*

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<sup>60</sup> A view endorsed by the official in the national education department responsible for textbooks who, when interviewed, said bluntly "We make policy and the provinces implement it."

At the same time the general messiness of the national/ provincial policy split certainly was acknowledged:

*There are some parts of policy that are so bizarre ..and what the national minister has to do before we can do anything and that makes it impossible for us even to think about how we might do things. Ja, and in all probability for the first five or six months its going to be very messy, as things come down from national in drips and drabs and we respond to it and we write our regulations ... (Mr GG)*

It has been argued elsewhere (de Clercq 1997) that the national/ provincial division means that physical and structural separation of policy formulation and implementation has occurred, thus causing severe problems on the ground. The very fact that interviewees were clear that they were responsible for the policy as a whole, from formulation to practice, may have been relevant to its general cohesiveness. Thus its dual emergence and translation into practice within the province itself may have contributed to its sense of coherence.

#### 4.2.2.2 The Western Cape's identity

The Western Cape has a unique identity<sup>61</sup> on two counts. It is regarded as the most well-resourced and competent of all the provinces and it was the only province to maintain a Nationalist political leadership after the 1994 elections.

One stakeholder feels that this ironically pressurises the Department to perform better as they feel that they cannot fail:

*I also think that the Western Cape education department is out of step with the central government and not wanting to be seen to fail, they push things through. The Western Cape education department is nationalist right, I think it suffers in terms of funding a whole range of things, but they don't want to be seen to be failing so they work doubly hard to make sure that provisioning takes place a bit. Decisions could be made and pushed through just to make sure that books get into the classroom. I think it makes them act more quickly and more decisively and make decisions (like the open book policy). ...I believe it is subliminal, that's that the underlying thing behind it all is that they know they are going to be perceived to be National Party. They want to make sure that things work so they can't be accused of not getting things done and perpetuating that past evil. They want to prove that things can work, that they are blameless and in fact they are taking the lead in these areas. (Ms PP)*

The Western Cape's identity is also shaped by the perception that it is the most competent of all the provincial departments. According to the Ministry of Public Service and Administration's task team report on administrative issues affecting the Western Cape Province (1997), the Western Cape in general is regarded as well resourced and competent to deliver high quality services to the people of the province. The report says managers in the Western Cape administration were probably the most highly skilled in the country. It particularly commended the education department for being one of two in the country to appoint finance managers.

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<sup>61</sup> This identity is mentioned in the education policy literature. For example, Kruss (1997:91) comments that the Western Cape legislature and education ministry are determined to assert maximum independence from central

Since resources and capacity are central to an understanding of policy, the Western Cape's reputation as being well-off and skilled is arguably relevant to understanding this particular policy. It is of note that despite the fact that the bureaucracy in the province is relatively one of the best in the country the process was still relatively ad hoc. The province was also advantaged by the key stakeholders in the book chain being resident in the province, a situation shared only by Gauteng.

In addition to these resources, an analysis of the spatial context of the policy terrain suggests that the Western Cape's unique identity and its relative autonomy in this instance may well have shaped the particular policy that did emerge.

### **4.3 Locating the policy in frames**

This policy (like any other) does not exist in isolation. It is located in and shaped by its specific circumstance of resources and capacity, and thus must be viewed within that frame. It intersects and overlaps with other policies. It is constrained and enabled by these policies in the form of laws, regulations and procedures. In addition, it is located within discourses which are in turn located within the policy. I argued earlier that a central component of policy analysis must be the analysis of key discourses of the state.

The following sections analyse this policy within the three frames developed in the earlier conceptual framework: legislative/ regulatory frames, practical frames and discursive frames of the state.

#### **4.3.1 Location within legislative/regulatory frames**

Which legislation and regulations constrain and/ or enable the Western Cape's open supply textbook policy? And to what extent are the key actors aware of them?

This policy is framed by a number of education and non-education regulations, policies and laws as well as by a rather unusual gentleman's agreement, the code of conduct. As the director of curriculum management commented:

*It is complex, and I mean, I don't think there's any, any particular single person that has the whole scope of all the implications, you know. (Mr BB)*

Between them departmental officials mentioned that the following were relevant to this textbook policy:

- the SA constitution
- the Schools Act
- the WC Provincial Education Act
- labour relations legislation
- tender legislation, old and new (for example the Green Paper on Procurement)
- the draft national norms and standards for school funding
- the medium term economic framework (MTEF)

But on the whole most officials mentioned only one or two of the key policies/ regulations/ laws, generally the Schools Act and the constitution. Thus the head of education said that at the end of the day, senior officials like himself had to maintain the principles of the constitution, and a chief planner responding to a question about the location of this policy said:

*I think many people will say at the heart lies our constitution. I myself think at the heart of the society we are trying to build is the concept of the rule of law. They are not necessarily different. You see, I see the constitution as a result of the rule of law. (Mr NN)*

The Schools Act was portrayed as framing the textbook policy:

*...but in terms of the Schools Act the open list approach is really the preferred approach because it really complies with the Schools Act. (Mr NN)*

and:

*The Schools Act is the national over-rider which also gives the governing bodies the power to purchase goods and services. (Mr KK).*

These references to the Schools Act are of particular interest because this policy actually developed in parallel with the Act rather than in conjunction with it. While the close fit between them seemed a co-incidence<sup>62</sup>, the policy environment was similar and the same discourses permeated both. It is unsurprising that policies with the same foundations were developed. Underlying both this policy and the Act are the principles of decentralisation and local-level empowerment. The Act was later used, most conveniently, to give status to the policy.

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<sup>62</sup> A retired official commented that the development of the policy had nothing to do with the Act, and the DG made the same comment.



Of the other legislation mentioned, only the provisioning official and the head of education spoke specifically about budgetary regulations. The head spoke about the proposed norms and standards document and the provisioning official located plans within the Medium Term Economic Framework (METF).

*... the state is now moving on to a medium term economic framework financial policy system which provides for budget over a period of three years, so we would know already in February or March what our allocations would be. Although officially it would only be supplied to the public after the Minister has read his budgetary speech. We would be able to plan ahead so that when this parliamentary process has gone its way and the sanction has been given, the blessing has been given to the budget, a week after that we would be in place. It makes planning easier.*  
(Mr KK)

He also spoke specifically about tender regulations:

*The state provides for certain criteria, like the tender board sets out in terms of its manual KST 37 and 36 how to produce goods and services. That's the provincial Tender Board.* (Mr KK)

While two interviewees mentioned financial-related legislation, virtually none spoke of the Green Paper on Procurement and only one referred to it. The others were unaware of it when questioned. One might have expected the Green Paper to be discussed in some detail given that the provisioning director in particular was clearly immersed in the discourse of the Green Paper. For example, he saw this policy as a partnership, and the Green Paper says "...there is a great deal of current interest in partnering or partnership sourcing" (p.21) and "Relationships with suppliers should combine competition with co-operation"(p.21). His (and other officials) support for COMSEB is commensurate with such statements in the Paper as "...people's needs must be responded to and the public must be encouraged to participate in policy-making" (p.22). The support for the private sector is echoed in "Competition has been shown over and over again to be a driving force behind increased standards of excellence" (p. 51) and the support for small businesses in "Targeted programmes will expand competitiveness and efficiency by encouraging black business development and capital formation..."(p.51)<sup>63</sup>

Clearly this policy is closely linked to the Schools Act and the Green Paper although further detailed analysis of that relationship is not possible here. The point is that these links were acknowledged by officials but not analysed or fully explored, and that the discourses in each piece of legislation respectively are manifest in the WCTPP analysed here.

There are other regulations, policies and documents impacting on the development of a textbook policy which were not mentioned by the interviewees. They are important because of their potential to impact on the policy. Having described legislation as consciously described by the officials, I will now comment on the relationship between this policy and some of these other related laws/ regulations. The reasons for doing this are various: it shows how complex

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<sup>63</sup> Many more examples are available to make the point, but a full analysis of the relationship between the Green Paper and the policy is not appropriate here.

the issue is; it shows what the officials did not know or did not refer to; and it demonstrates how extensively this policy is framed, and potentially influenced by a number of other policies.

Thus the policy exists in a fluid state, always changing, about to be influenced and in a state of potential transformation. And at the level of discourse, the policy interacts with, overlaps with and echoes other seemingly-unrelated policies. These other policies include

- Economic programmes such as GEAR
- The draft norms and standards for school funding
- Documents on transforming the public service
- Financial legislation such as the Treasury Act
- Relevant curriculum documents such as those pertaining to the introduction of Curriculum 2005
- The regulations of the South African Bureau of Standards
- Policies from other sectors

#### **Economic programmes such as GEAR**

While not acknowledged specifically in either the WCTPP documents or interviews, GEAR has an enormous impact on all aspects of government delivery. The WCTPP solution of handing over delivery to the private sector seen in this policy would fall in line with GEAR policy. (The issues and tensions emerging from this economic programme are discussed in more detail in the section on discourses of the state.) It is revealing that only two officials spoke of any policies relating to finance or economics, but no coincidence that these two were the director general and the provisioning official who is the champion of this open textbook policy.

#### **The draft national norms and standards for school funding**

This is an important set of proposals which suggests that the state be responsible for provision (including of textbooks and learning materials) for the bottom 40% of schools and gradually taper off its responsibilities as the schools get wealthier. Other than the head of education, only one official mentioned it when he said he had heard of it but not seen it. Based on the assumption that the state cannot provide for all, it has real consequences for textbook procurement.

Existing in terms of the Schools Act, these norms and standards suggest that there will be two categories of schools. Those whose governing bodies have been authorised to handle textbook purchasing (and other functions) will have a block amount for books, stationery, equipment and media collection placed in their accounts. How they spend/ allocate their money will be decided at school level<sup>64</sup>.

Those schools whose governing bodies have not been authorised to handle textbook purchasing (and other functions) will have textbook procurement taken care of for them by the relevant provincial education department as in the past.

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<sup>64</sup> The amount provided would slide from a full allocation to a percentage of an allocation, possibly even none.

What is of particular interest is that the document says "Each school will procure its own items from a province wide list of approved suppliers". This indicates a move towards the Western Cape's policy and away from the tender system dominating the other provinces.

### **Documents on transforming the public service**

There are at least a dozen<sup>65</sup> policy papers relevant to changes in the public service sector, all of which would affect state social policy. The most comprehensive and pertinent to a procurement policy about physical delivery and the relationship between the state and those it serves is probably the White Paper on Transforming Public Service Delivery (WTPSPD). The WTPSPD "calls on all departments to make service delivery a priority" (p.10), a reflection of the WCED's primary interest in delivery (as I argue later). It stresses "new ways of working which...is (*sic*) better, faster and more responsive to the citizen's needs. It means a complete change in the way that services are delivered" (p.11), certainly the case of this policy which delivers where delivery did not happen previously and which was considered a success by all interviewed as described in Section 4.1.1.4.

None of the interviewees mentioned this Paper, yet it seems more than a co-incidence that the eight principles of *Batho Pele* (the WTPSPD) are consultation, service standards, access, courtesy, information, openness, redress and value for money, principles which are central to this textbook procurement policy.

### **Financial legislation such as the Treasury Act**

All financial transactions engaged in by the state take place within clearly spelt out legal parameters which provisioning officials have to be familiar with. These were not mentioned by any of the interviewees in the WCED, in stark contrast to other provinces who emphasised them.<sup>66</sup>

### **Relevant curriculum documents especially re the introduction of Curriculum 2005**

Curriculum 2005 introduces new materials into the school system according to a particular timetable. The National Department was planning to supply so-called pilot materials directly to schools for the 1998 school year. This centralised system provides only one learning material, in the form of booklets, and cuts out the private sector suppliers altogether. The implications of this becoming the norm for the provision of learning are enormous as it is the exact opposite

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<sup>65</sup> These public sector and labour documents include the White Paper on Public Service Training (1997); the Draft White Paper on New Employment Policy for the Public Sector (1997); The Green Paper on a New Conceptual Framework for Affirmative Action and the Management of Diversity in the Public Service (1997); the Green Paper on a New Law for a New Public Service (1996); Policy Proposals for a New Public Service Statute (1996); the Public Service Laws Amendments Act (1996); the LRA (1996); the Green Paper on Employment Equity (1996); a Skills Development Strategy for Economic and Employment Growth in SA (1997); the Public Service Management Bill (1997) and so on.

<sup>66</sup> This study focuses only on the WC, but interviews in other provinces were undertaken for related work. But there were many contrasts - in this case the Northern Province official emphasised primarily the Treasury Act and said it was his bible.

of open selection, pro-choice, local-level selection and procurement of books as exemplified in the WCED's textbook policy.<sup>67</sup>

### Other policies

Textbook procurement is affected by several seemingly unrelated policies and regulations. One document mentioned the regulations of the South African Bureau of Standards (SABS), as the quality of materials purchased by the state is specified by the SABS. Less obvious and unmentioned however are that forestry policies may affect the availability of paper which in turn affects supply. And zero rating books (or not) is a financial policy decision made by those determining VAT, which will impact on book supply.

This policy, like others, is impacted on by so many other policies, regulations etc that it becomes very difficult for those involved with it to be fully aware of all the implications which might affect it. In addition the consequences of the particular policy on others to which it is closely related may not be thought through.

In summary, the legislative/ regulatory frame provides a way of understanding how other policies impact on and are reflected in the WCTPP. The WCTPP is influenced by a whole range of other policies, in particular the Schools Act and the Green Paper on Procurement. The Schools Act on the one hand requires proper legal regulations to be developed to carry it out. These regulations will contradict the procedures of the WCTPP itself. The Green Paper on the other hand is still a policy discussion document (hence does not require legal regulations to enact it) yet its influence (in the form of the discourses evident here) can be seen to be great.

A bureaucratic quagmire develops. The bureaucratic, administrative and practical difficulties which occur have been widely acknowledged. These complications mean that even the best-intentioned officials struggle to keep up with the laws which affect their work, while simultaneously developing regulations and suitable local level policies. This has led to calls for increased and better policy co-ordination within the state. It has also been one of the most powerful pressures on the state as a whole to rethink and revamp its role in policy planning, formation, management and, especially, in delivery.

### 4.3.2 Location within resources and capacity

By resources and capacity, I mean physical and human resources as well as physical capacity (i.e. infrastructure) and human capacity (i.e. skills and competence) as described in more detail earlier in Section 2.3.1.2. In this section I will explain how this policy is framed by resources and capacity, and how they impact on the making of the policy and on its potential and actual effectiveness.

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<sup>67</sup> At the time of writing 4 million "pilot" booklets were reported to have been provided nationally direct to schools for use in Grade 1 OBE classrooms and National Department officials have said that they would continue to provide materials for the new curriculum this way. In a situation where provinces are too cash-strapped to buy textbooks at all as described in the introduction, this means that effectively teachers only have the pilot booklet. This is ironic given that the DET was extensively criticised for allowing only four books on a closed list. This system means teachers have no choice at all.

Practical considerations of resources and capacity relevant to this policy exist at three levels: at schools, within the department and amongst publishers and booksellers.

When asked to comment on the fact that officials from other provinces invariably said capacity<sup>68</sup> was the reason they did not introduce such a policy, the head of education at first said that he thought this was not the most important issue, but he then qualified his comments:

*Are other provinces not using the open system because of lack of capacity at school level? No I don't think that's got anything to do with it, no maybe it is a concern, I'm sure for many provinces that is a concern...(Mr GG)*

He went on to say that he thought other issues were greater impediments, and that these had more to do with empowerment and trust. But how relevant is capacity and resourcing in a decentralised policy such as this one? I will answer by looking at each of the sites mentioned.

#### 4.3.2.1 School level capacity

Despite initially asserting that capacity was not the major issue, Mr GG went on to say:

*Well I tell you one thing, when we inherited the ex-DET schools we discovered to our horror that they had never ever completed a requisition form, so the first move was to look at the process. But I don't think that that's too difficult a thing to overcome, that was just a process to introduce them to. You could bring a hundred schools to a hall and hand out forms and take them through the process. It could be done fairly easily.<sup>69</sup>*

He then linked the issue to the Schools Act:

*But the consequences of not doing it and then expecting those very schools to be able to manage a slate of functions in the Schools Act... (Mr GG).*

Another official was explicit about linking capacity to both this policy and the Schools Act:

*What's also important is if you say here is policy, then there's also the question do people have the capacity to implement the policy? So, the Schools Act is important there where it says these are the powers that governing bodies have but then the province itself, not even the education department - the provincial cabinet should make provision for capacity building in order for people to handle those functions. (Mr NN)*

This (and other comments) suggests that officials believe that a decentralised system implies sufficient capacity, competence and skills.

The context of these comments is one in which schools have very good resources and capacity.<sup>70</sup> Nearly 90% (1547 out of 1770) of WC schools have phones<sup>71</sup> while 89% of schools have electricity (1557 with wired supplies and 11 with generators or other sources)<sup>72</sup> according

<sup>68</sup> The relevant officials were interviewed in the Eastern Cape, Kwazulu-Natal and the Northern Province.

<sup>69</sup> An ex-DET principal said that the first year that her school had to fill in requisition forms they asked for assistance from their colleagues who were principals of ex-HOR schools in the same circuit. The second year she said they asked the bookshops for help. It is interesting that she did not mention asking the education department.

<sup>70</sup> Note that figures extracted from the Schools Register summaries and from *Edusource Data News* vary very slightly.

<sup>71</sup> The figures for phones are: Western Cape 88%; Northern Cape 77%; Gauteng 85%; Mpumalanga 77%; North West 37%; Free State 25%; Northern Province 32%; KZN 34%; Eastern Cape 9%.

<sup>72</sup> In Gauteng and the Northern Cape, a significant majority of schools have electrical supply, in Mpumalanga it is almost half, while in the rest of the provinces the majority of schools do not have electricity supplies

to the Schools Register of Needs. And according to a WCED official at least half the schools in the province have photocopying machines.

The school principals interviewed commented that when they had textbook problems they simply phoned the suppliers. Even the representative of the Western Cape Association of Hawkers and Informal Businesses said that communication with schools was not a problem. He said in his experience all the DET schools out of town had phones.

In addition the province has the largest number of highly qualified teachers in the country<sup>73</sup> a relevant point when one considers that the UNESCO documents surveyed in Section 2.4.3 argue that effective procurement policies need trained and qualified staff.

#### 4.3.2.2 Suppliers

By suppliers I mean both booksellers and publishers, some of whom also sell and supply the material they publish.

One interviewee thought that the well-developed nature of the private sector in the Western Cape may have contributed to the success of the policy:

*Perhaps it has something to do with an infrastructure where the Western Cape is quite large, that business is quite developed so you could quickly set up staff who want to get out there and claim the business. You have to have effective suppliers. If you don't have effective suppliers the schools are not going to receive the books. So I think it has to do with sophistication of infrastructure. (Ms PP).*

Principals interviewed volunteered that they found the new suppliers very helpful. Several said that the new ones were more helpful than the previous two tenderers and that in fact those two tenderers/ suppliers were now being forced to provide assistance which they had not done previously. They said that the suppliers helped them fill out the forms, provided them with information about new books and responded to queries quickly and efficiently.

Only one ex-CED school principal was interviewed and he said he had always had a good relationship with his established supplier who helped the school by putting on book displays, donating prizes and in other ways.

I interviewed this supplier and she commented that most of the new supply companies were formed by staff who had left long-term stable bookshops. Although she commented that the new companies were inexperienced and that her own company sometimes picked up the pieces, her belief that staff came from existing companies suggests that they did in fact have some knowledge of the industry.

She also said that the new suppliers did not have the capital to set up their own bookshops and therefore they used her bookshop to find information. While this is understandably annoying for her, it does indicate enterprising behaviour for the new suppliers who manage to find ways of getting information for the schools they service.

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<sup>73</sup> from the *Sunday Independent* 31 December 1995, cited in Kruss (1997).



Another supplier interviewed, the representative of the Hawkers Association, spoke of his plans to set up a bookshop and explained how he got the publishers into schools to display, promote and educate teachers about new books and materials. If he did not know something, he knew where to find someone who did.

While it was not possible for this study to investigate the suppliers in any detail, some relevant points do emerge. Firstly, the suppliers have been able to deliver timeously and appropriately whereas the previous tenderers did not - all parties (school, suppliers and education department) agree about this.

Secondly, the suppliers do appear generally to have the necessary skills, resources and competence to fulfil their functions. This is a relevant consideration should other provinces wish to choose the same policy. While capacity and competence are usually acknowledged as an issue at school level, capacity is crucial in the private sector in order for this policy to work.

Thirdly, the suppliers have taken over a role from the education department. They assist the schools administratively and they provide the schools with information in the form of a range of materials to choose from. This is indispensable at a time when a new curriculum is being phased in and teachers need to know what is available to help them with it. At this moment when education departments are already over-stretched, it is unlikely that they would be able to provide the schools with the same level of assistance, if at all.

#### 4.3.2.3 *Department*

What evidence does the data provide of the resources and competence that this policy requires from the education department, in terms of both policy-making and the translation of policy into practice?

The Western Cape is considered to have the most qualified staff (according to the Ministry of Public Service's report) a factor which is not irrelevant to the creation of this innovative policy and to the emergence of a committee such as COMSEB. COMSEB's existence as a formalised forum with minutes being taken and tabled, regular meetings and so in, assumes a certain amount of skill and capacity within the department. These points are relevant to *if* and *how* policy is made.

And in terms of translating policy into practice, this policy means far less is required of the Department than previously since they have handed delivery over to the private sector suppliers. Indeed their reduced role has led to the down-sizing of the procurement section of the WCED.

In the short-term, a major function of the WCED has been to pay suppliers timeously. The chief planner even suggested that if the department expected suppliers to deliver within a specified time period, the department should also agree to pay within a specified period. In January 1997 when the school year opened, at least four of the other provinces still owed suppliers amounts ranging from R100 thousand to R20 million for books supplied in the 1996

school year.<sup>74</sup> This situation clearly renders new small business initiatives in book supply unviable.

However, when the implications of the Schools Act are realised in action, the department's role in this regard will be gradually reduced as schools take on their full governing powers and are given their allocations directly in the form of payment into their bank accounts.<sup>75</sup> The ability to pay on time will thus become a school-level issue.<sup>76</sup> Also, if the suggestions of the draft norms and standards for school financing become a law, the department will no longer be responsible for the top percentile of well-resourced/ funded schools.

Capacity in the form of competence was also relevant to the Department's communication function. They had to let schools know about the new policy. There were contradictory perceptions as to how well the WCED had managed to communicate. One official feared that no letter had ever originally been sent out to schools explaining the new policy although there is a letter explaining the regulations re orders for the 1998 school year. One supplier specifically criticised the department for not explaining the implications of the new policy properly and said he thought that some schools, particularly some DET schools, were still using the old tenderers because they were not aware of their options. However, another supplier said that he thought that the WCED had used the area offices well to communicate with schools and explain the new policy.

On the whole, despite the difficulties of transition, the WCED has demonstrated policy making abilities in terms of innovation/ideas as well as the creation of a policy-making structure/ forum. It recognised the limitations of its own delivery capacity and handed over to the private sector suppliers. The suppliers in turn appear to have been able to rise to the challenge, to grow, to deliver and to take over some departmental functions. Clearly, issues of resources/ capacity in an economy aiming to grow small businesses have had to be included in this analysis. And finally the fact that schools appear to be benefiting from a book procurement system which need a high degree of skills and competence reveals their ability to cope with this decentralised policy.

In summary, the resources / capacity frame provided a way of exploring how resources/ capacity at all three sites described here shape the policy in terms of both the formulation and implementation arenas. It also allows the policy to be investigated as a public-private sector relationship instigated (and regulated) by the state.

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<sup>74</sup> Outstanding amounts were R20 million (Eastern Cape); R100 000 (Mpumalanga); R700 000 (North West); R300 000 (Free State) according to the *Saturday Argus* of 18/1/97 and cited in *Edusource Data News* of August 1997.

<sup>75</sup> One of the officials said that it would be politically problematic to give full powers only to ex-Model C schools and that he thought most of the schools would be granted full powers when they asked for them.

<sup>76</sup> The logical conclusion is the Department ceases to provide earmarked allocations for books (or anything else) and that schools receive a budget which they use and prioritise as they wish. What percentage a school may then choose to spend on books, how they pay, and the concomitant pressure on schools to negotiate the best price are related issues that cannot be dealt with here.

### 4.3.3 Location within discursive frames

As argued in the previous chapter, identifying discourses is a useful way to investigate how and where policy is located. I explained that, in particular, a useful way to analyse the role and nature of the state in policy is to identify the key discourses of the state embedded in and framing those policies.

Two central discourses of the state appear to co-exist in this policy. I have called the one discourse that of the neo-liberal state and the other that of the democratic developmental state. Both of these discourses exist within a capitalist system and both presume a necessary relationship between the state and the private sector. The nature of that relationship is defined and resolved in quite different ways. Note that I am not suggesting that these are the only two discourses of the state which resolve the state-private sector relationship, rather that these are the two which are manifest in the policy being analysed.<sup>77</sup>

The discourse of the neo-liberal state is predicated on a free market system which promotes a shrinking state and which aims to maximise market competition unhindered by state interference, even in sectors such as education and health. It is manifest in the South African context in the GEAR programme.

The discourse of the democratic developmental state is about a regulatory state which focuses on state steering and co-ordination of key inputs. Its macroeconomic philosophy is co-ordinated market economics which seeks to balance competition and co-operation (via state steering) with business and labour.<sup>78</sup>

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<sup>77</sup> Other versions of this relationship exist in the developmental state and democratic facilitative state. The developmental state is hard to define because it arises out of the empirical success of certain countries' economic models rather than from deliberations from state theory. These models are characterised by: co-operation between public and private sectors under the overall guidance of a pilot planning agency; heavy and continued investment in education for everyone (combined with policies to ensure the equitable distribution of wealth created by high speed growth; stable rule by an elite not acceding to political demands that would undermine economic growth; and a respect for economic interventions based on the price mechanism (See Sorenson p35). Gordon's (described in Bardill and Khan 1996) notion of a democratic facilitative state pushes beyond the developmental state to a form of market-state relationship in which the state's role will be what he calls interstitial participation, the organising of the interface between relatively autonomous sources of innovation - public, private and community based.

<sup>78</sup> This definition is from a handout provided by Kraak during a seminar on 26 May 1997, and supplemented by his verbal explanation.

In this policy the neo-liberal commitment to the market is expressed by associating the free market with decentralisation. In the report on the new open supply policy of March 1997 the following statements are included:

Decentralisation is better because centralised systems are unacceptable in the new South Africa  
 Decentralisation will introduce a "free market system" to all school communities  
 Decentralisation will give all publishers equal access to all schools  
 Decentralisation will deliver books  
 Decentralisation will mean the bookseller has responsibility for delivery  
 Entrepreneurial opportunities should be encouraged in accordance with the principles of the RDP

It is interesting that decentralisation and the free market are used almost interchangeably, that because of decentralisation a free market system will be put in place.

Not only will the free market deliver, but it is implied that a free market system is closely aligned to democracy. A centralised state system has negative connotations of control and of an anti-democratic illegitimate state, while a decentralised market system supports the aim of the new democratic South Africa. This association with the language of democracy and improvement is also manifest in phrases such "equal access" and "the principles of the RDP".

Also evident in this free market discourse is the handing over of the state's previous functions to the private sector. So the bookseller will have the responsibility for delivery not the state. This is in line with the language of GEAR as well as in documents such as the White Paper on the Transformation of the Public Sector. While the White Paper only appeared the following year, GEAR had just been launched and the echoes of privatisation, government savings and shrinkage and public-private sector partnerships can be no co-incidence.

But there is a parallel and equally powerful discourse evident in this policy. This is the discourse of the democratic developmental state, a regulatory state that sets the parameters within which market forces can be unleashed in this policy. The private sector publishers and booksellers do not have free reign and cannot develop individual relationships with the schools they supply. Evidence of the state's regulatory framework is manifest in:

- suppliers wishing to participate having to register with the WCED;
- the WCED only allowing registration if the suppliers all agree to a standard (10%) discount for all schools;
- another condition for registration being that suppliers have to agree to abide by the code of conduct;
- orders are still routed through the education department's regional offices (with the preferred supplier named on the form); and
- the continuing monitoring of budgets by the WCED.

This discourse is also implicit in the related Green Paper on Public Sector Procurement Reform, which I explained earlier impacts substantially on this textbook procurement policy:

The function of government is to govern effectively by adopting best practice in all its activities rather than to be reliant on consensus decisions in order to ensure the long term success of its delivery programme. Clearly the public must be encouraged to participate in policy making, but thereafter the government must take responsibility and act in terms of its mandate.

Green Paper on Public Sector Procurement Reform (1997:19)

It is of interest that the two central discourses here presume that the market will provide.<sup>79</sup> However there is also evidence that the language and ideas of the RDP remain alive. It is in the original Reconstruction and Development Programme (RDP) that the embodiment of a welfare state using the Keynesian paradigm can be seen. In this policy it is the language of the RDP which particularly embodies issues to do with redress. While dominant discourses are premised on state-private sector-community partnerships, there is also evidence of parents (the community) refusing to partner the state and demanding that the state both provide and deliver.<sup>79</sup> Although it is beyond the scope of this study to explore this, it needs to be mentioned as the background to the battle being fought for dominance between the discourses of the neo-liberal and the democratic developmental state.

At the time the research ended, this "battle" was coming to a head. The differences between these discourses were becoming apparent and decisions needed to be made. A decision, and equally the absence of a decision, would mean that the one discourse would gain dominance over the other. Essentially the regulatory framework put in place by the state was being tested and conditions and regulations were being broken by the private sector suppliers. At the end of 1997 the state (in the form of the WCED) had not taken any action against offenders, thus indicating the dominance of the neo-liberal free market version of the state and the market.

In summary, this analysis reveals exactly how these discourses of the state are constituted in and by this WCTPP. By identifying the discourses, the parameters of the possibilities of the state's role have been acknowledged and explored, and the tensions in the policy itself revealed.

#### **4.4 Analysing policy actors**

While policies are located in contexts and frames, it is actors who make the policy, and I intend to examine the key features of that policy making process. I use actors more broadly than individuals and include groups or institutions.

As explained in the methodology section, when I explore actors and policy-making I am not examining the mechanics and strategies of making policy decisions. Rather I am focusing on the key features of policy making, those traits which seem to characterise policy making. I

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<sup>79</sup> For example, on 2 February 1998 the TV news reported that the Association of Governing Bodies of KZN were demanding that the state provide books and stationery not parents.

also explained that policy making extends beyond policy formulation into the process of translating policy into practice which happens in the implementation arena.

Throughout policy making as described here, policy making is an on-going negotiation of interests with policy being expressed as a compromise, or an agreement of interests. This key feature of policy making is central to the analysis of the WCTPP.

When I examine the interests expressed in this policy, I mean interests represented as values. When actors represent interests, they represent value-laden positions or points of view. Those interests are frequently in tension and some sort of balance has to be achieved in order for a workable policy to emerge. In this section I map out the various actors' interests and explore the tensions between them as well as the way they are balanced as compromises are reached.

Since those interests are generally not those of the actor as individual, but rather of the actor representing a group or a constituency, exploring actors and their interests means touching on the democratic process. As I assume that different interest groups will (and must) be part of the policy-making process, understanding policy also means observing how/ if actors represent their constituencies.

#### 4.4.1 The main actors

The actors central to developing this policy were the state (in the form of the WCED) and the private sector (the booksellers and the publishers). These were by no means homogenous groups. They could be divided structurally and in terms of their own conflicting interests as there were also tensions and differences within the groupings.

The policy essentially emerged from the conference of 11 April where presentations were made by the curriculum directorate, the provisioning directorate, the booksellers, the publishers and the printers. In other words the key players were representatives of the department and of the private sector.

The key players when the policy was devised were:

<i>The state</i>	
The WCED	The WCED provisioning administration directorate
	The WCED curriculum directorate
	WCED library services
<i>The private sector</i>	
The publishers	PASA, the publishers association of SA (newly amalgamated from the previous SAPA and the smaller, alternative IPASA)
The booksellers	ABSA, the original booksellers association
	The newer Small Booksellers Association
<i>Others</i>	
Principals	The black principals forum,
Teachers	Teachers unions, specifically CTPA and WECPA reps attended some of the early meetings



One of the interviewees confirmed that initially the main players were the state and the private sector:

*So it started from the two departments [Provisioning and Curriculum ] and the publishers, and ABSA has been central to this as well....(Ms PP)*

After the conference the ad hoc committee of stakeholders became a more formalised forum, COMSEB, and other players became active too. It was their participation which challenged the policy in some ways.

This broader range of participants was confirmed by the same interviewee who went on to say:

*So it started from the two departments and the publishers, and ABSA has been central to this as well and now we have the principals associations, the teachers' associations, the librarians associations, the various areas of curriculum, we have got technology, we have got ABET, absolutely all of them sitting there, you can see from the list. (Ms PP)*

The minutes show that individuals from many directorates attended COMSEB meetings. These included Subject Advisory Services, the various LACs (Learning Area Committees), Education Technology, EDULIS (library services) and Examinations (see minutes of 8 May 1997).

Later COMSEB meetings (see for example 7 August 1997 and 25 August 1997) indicate that SADTU started to send representatives. It is of note that the teachers (represented by SADTU and the CTPA) were active participants later in the process.

Two main points are pertinent here. Firstly the two main actors involved in devising the policy were the representatives of the WCED and the private sector, and the policy agreed on was an accommodation between them. But later the teachers became involved (specifically through SADTU) which challenged the policy causing adjustments to be made in the final code of conduct.

The second point is that the actors were not homogenous groupings. Within each groups there were different structures: some were formal structures such as departmental directorates, some were informally created around specific issues. Each grouping could be divided structurally as well as being characterised by the contradictory internal interests which are described in the next section.

#### 4.4.2 The actors and their interests

One official remarked that although there was a group whose commonality (*sic*) was book provision it certainly was not a coherent group with similar interests. People came with their own agendas. So:

*...PASA is there to promote their business, we're [the WCED] there to promote our business and people come there with very, very strong views. They come from strong constituencies and they need to report back to them. (Mr NN)*

He added:

*...its so important to look at people's agendas. You might have people saying the system isn't working but then they might have an agenda where they would like more centralised decision making because they feel they can influence the centre and that it's difficult for them to influence the periphery. ...So you might have somebody saying that the system isn't working - look at what's happening at that school, money is being mismanaged, etc. But then I would ask what's the person's agenda? (Mr NN)*

What *are* their agendas? What interests are represented by the actors identified?

#### 4.4.2.1 The interests of the department

As can be seen from the documents and interviews analysed, the interests which emerge from within the Department were many, varied and sometimes conflicting.

##### 4.4.2.1.1 Efficiency

The department's main interest was efficiency. Across the board they were concerned about non-delivery.

In the report to the tender board the assistant director of provisioning opens by emphasising how they experienced serious problems with the previous system of non-delivery (WCED Report to Tender Board p.2). And at the open meeting called to discuss textbook procurement the director of curriculum management was the first speaker. He started by outlining the problem and expressing his disappointment that the [WCED] "administrative staff had failed in their task of issuing every child with a textbook" (minutes of conference of 11 April 1996).

A letter sent from the WCED administration to PASA on 19 April stated that "the new supply method would ensure that schools receive efficient service". In the contract suppliers had to agree to deliver within 30 days of receiving an order (Point 3.2.5), and to deliver to individual schools, farm schools included (Point 1.4 of the appendix special conditions).

Efficiency and delivery were paramount to the extent that the WCED was prepared to subsume cost as the primary short-term consideration and to argue that the new system not only delivers but also that it has improved employment in the book-selling sector. If cost had been the sole short-term aim, the WCED would have supported publishers supplying direct to schools, a route they did not choose, despite the better discounts possible.

##### 4.4.2.1.2 Service

Related to efficiency was the state's interest in service, especially for schools. The assistant director of provisioning argued that with the previous tender system, schools had received little personal quality service.

A competitive free market environment was closely related to service and a WCED official commented:

*[Competition] gets out the best service to the school and it also enables the education department to be assured that the books are delivered. If the books are not delivered by one particular bookseller, the principal will go to the next one who can provide him with the necessary sales and books. And should a bookseller flop I would say that next year he won't get the same support. (Mr KK)*

The fact that the department decided against its one option, that of setting up its own warehouse, taking orders and delivering direct to schools suggests that it did not believe that it could provide the kind of service it wanted.

The schools also had an interest in service as discussed later and extended the notion of service beyond timeous delivery.

#### 4.4.2.1.3 Educational

The department's educational interests were expressed in two ways, firstly by support for the growth of the book-selling sector in order to promote access to books and secondly by arguing that school teachers and principals needed knowledge about new materials (especially with a new curriculum coming).

A PASA report (6 March 96, p.2) on the WCED's view on book procurement said that the department favoured booksellers moving actively into schools to promote materials as "it was felt that the role the book-sellers played in the broader community by providing broader reading material to promote literacy was also important".

The provisioning official who championed the system made the point that the tender system (whereby only two tenderers had the contract, both of them publishers acting as suppliers) did not encourage new and varied materials to be made available and promoted. Thus schools suffered as they were not made aware of new learning materials:

*When we had one-off tender systems, in other words the companies providing us with the biggest discount being awarded the tender, we found that the schools weren't serviced. Principals didn't know what's happening in terms of the book market. ...We also found that with the current vigorous development in education that a lot of principals were not aware that certain materials were on the market. We also found that should a particular one-off tenderer be provided with a tender that that company would only provide books that are readily available to him or her, and books that they would be able to make a bigger profit on, they would market only those types of books...So the best books weren't getting to the schools. (Mr KK)*

He emphasised education when he added:

*Like I said for those reasons which I mentioned before this [the previous] system didn't work for education.*

The department, as one of the major identified stakeholders who drew up the code of conduct, made their educational interest clear in the following priority:

1. General statement of beliefs

1.1. Educational principles take priority over commercial imperatives whether they are those of an individual or organisation.

fifth draft of Code of conduct, version sent to tender board, p.4

#### 4.4.2.1.4 Cost

While cost would seem to be a primary interest given the national educational fiscal crisis, it was not expressed in terms of lower book prices as in other provinces.<sup>80</sup>

The department argued that the higher trade discount of the tender system was absorbed by the administrative cost of following up outstanding orders (Point 2.1.5 of letter to the provincial tender board) although no cost-analysis was done to prove this point. The argument dovetailed neatly with the state's interest in becoming leaner and shedding staff, expenses and unwieldy functions, although it was not part of the original argument as one official noted:

*What I find interesting of all of this is that I think the spirit of all this emerged from the ex-HOR and the clerical, admin. staff who for years had been working with provisioning policy who believed that this ought to be the way to go. What they didn't understand at the time is that it would represent, with the SA Schools Act, the demise of that whole provisioning section. I don't think when they took this route that they actually understood that. Later on that began to emerge [yet now, even if they tell you it was one of the reasons for doing it] it wasn't, it wasn't understood that at the end of this all would be the complete demise of that section.*

While the policy did lead to departmental down-sizing, two officials admitted that this policy might not be the most cost-effective:

*The system can't be measured in terms of cost effectiveness because in terms of the tender we would definitely get a lower price but there are other financial spin offs that the Tender Board looked at. The social spin off being the books being on time and the books being in the school, the best books on the market and that sort of thing, the other spin off would be the number of agents employed now by booksellers also drivers being employed, transport companies being utilised to deliver books, and also bookshops opening – bookshops that had previously died are now coming to life again.-[...] For the state, from a price point of view it's costing more. (Mr KK)*

But they argue it is worth it:

*What we give up is possibly a bigger discount. We could negotiate a bigger discount. But when we think of all the pain my colleagues in other departments, when the stuff all lands, its a small price to pay. (Mr GG)*

Yet although all those within the department supported the policy, the original code of conduct put together by the curriculum director who has since left says “to obtain the highest value for each rand that is spent”. And the person who has taken over from him seemed

<sup>80</sup> For example, the provisioning director in the Northern Province said he liked the tender system because “we must not lose sight that the Tender Board is there to ensure that we get the best prices at the market, to protect us from exploitation.”

unaware of the financial implications of the policy until they were pointed out and said that he would investigate.

Thus there are indications of contradictory attitudes towards cost as a primary criterion in the policy-making process within the WCED, although on the whole most officials seem to consider having their other interests satisfied worth what may have been sacrificed.

#### 4.4.2.1.5 Democratisation

The department's interest in democratisation has different angles and demonstrates how one declared interest may really be about many other things, and may mask differences within the state.

Democratisation is linked with decentralisation:

The WCED is committed to a process of democratisation in the education system. To achieve this the concept and practice of decentralisation has been instituted.  
...while acknowledging that this means that tasks and responsibilities are being passed down to the local (school) level:

The development of this democratisation process brings with it a concomitant range of responsibilities and accountabilities. On a practical level as the principal and staff select books for their pupils so they will be held accountable for money spent and the quality and the content and the life span of the books selected.

fifth draft of Code of conduct, version sent to Tender Board

It is linked to the likely failure of a centralised system to deliver:

*What's behind it [the open policy] is the pain of having to make decisions for others, the prospects of things going wrong are huge when the WCED has to do it all...(Mr GG)*

It is about empowerment as two people said:

*...look, it [the policy] speaks to many things, it speaks to ownership autonomy, decision-making. (Mr GG)*

and:

*So it's much more than just an administrative thing - it carries a great deal of symbolism with it. And there you need to say we just need to do the least - we always need to say aren't we doing too much, we need to do less, less, less in regulating how those people do what we say they could be doing. And then your self-regulating organisations comes into place because there are powers ...by powers I mean powers that people believe in themselves. (Mr NN)*

It also captured the mood of the moment:

*[when the policy was made] there was a mood of democratisation in the air, this seemed to fit in with it, you know the whole flow of democratising the whole system giving teachers more say...(Mr VV)*

While democratisation seemed linked to decentralisation, empowerment, local-level control and letting go, at the same time the department clearly also had an interest in regulation.

#### 4.4.2.1.6 Regulation

The regulatory function is explicit in the code of conduct although the state's role as the regulating agent is vague:

The purpose of this code of conduct is to help regulate the purchase of materials and the relationship between the various members of the book chain.

It becomes ambiguous through the use of the passive voice:

It was agreed [on 19 March 1996] as with all "open" systems certain regulatory features would need to be introduced to ensure the successful functioning of the system and to prevent attempts by any of the stakeholders to unduly influence any party for material gain or material reward.

fifth draft of Code of conduct, version sent to Tender Board

But the following indicates that the department sees itself as having the final say:

The state reserves the right, in terms of paragraph 45 and 49 of ST36, to terminate the contract with immediate effect should a contractor fail to perform satisfactorily

Special appendix to Tender Board

even though there is some doubt about its ability to do so...

*...but we thought we've got to at least put a framework in place that says to people these are the rules and we'd like you to adhere to them if you are caught off side there will be some price to be paid for it...we thought it was important to do that even if there are ways around that at least it does say to all the suppliers and the schools that this must be done honestly and openly. (Mr GG)*

The WCED's interest in regulation is also evident in those suppliers wishing to participate having to register with the WCED; in the Department only allowing registration if the suppliers all agree to a standard (10%) discount for all schools; in registration being conditional on agreeing to abide by the code of conduct; on orders being routed through the education department's regional offices as well as the continuing monitoring of budgets by the WCED.

Regulation, in the sense of the state setting parameters with clear limitations, is clearly central to this policy. What does appear in doubt is its ability and intention to enforce the limitations it has imposed.

#### 4.4.2.2 Interests of the private sector

Clearly the main interest of all the suppliers is commercial. The theme of corruption (and anti-corruption) that runs through some of the interviews is about the view that the suppliers, particularly the publishers, were prepared to do anything to get orders because the financial rewards were so big.



As one publisher remarked when explaining why publishers became so involved in developing the new policy:

*... the government has got to realise that our relationship with them is not going to be the same ...a lot of the SAPA<sup>81</sup> people when the government said jump or sit on your hind legs they turned over and had their tummies tickled, so when the government said jump then the publishers would automatically because they knew they were getting the bucks. (Ms PP)*

For different reasons they also had an interest in what they considered a level playing field,<sup>82</sup> an equal chance to begin and play the game. Another publisher commented that both the old and the new suppliers had an interest in developing a level playing field. The old had been accused of having a "special relationship"<sup>83</sup> with the previous government and were worried that they might be replaced by new players with a similar special relationship with a new government. They therefore argued vociferously for fairness and equal opportunity (See code of conduct p.2) because they wanted to ensure they would continue to have the opportunity to benefit.

The new suppliers supported a level playing field because they wanted an "in". As one supplier put it, the old system denied them opportunity and access and kept them on the sidelines.

But within the private sector there were also competing interests. Publishers and booksellers have historically had a fraught relationship, partly because of disagreements about discounts, but partly because some publishers are also booksellers, and those retailers who do not publish argue that publishers should not be allowed to supply at all. Interviews and minutes reveal this to be an ongoing and unresolved issue. While the WCED department prefers booksellers to supply rather than publishers, (one provisioning person said, "the whole aim of the system was actually not to get the publishers as booksellers because that wouldn't allow for the school to get the best books") there is no indication that the state intends to stop the practice.

And amongst the booksellers there are other differences beyond commercial competition. The more established and the less established suppliers express different interests and so do the publisher/ retailers and the retail-only companies. It is of note that there are two booksellers associations at a time when other associations (such as publishers, librarians and so on) have been amalgamating. In addition to the long established ABSA a new association was started. Called either the Small Booksellers Association (in the minutes) or the Independent Booksellers Association (in interviews) this appeared to have been formed because the newer suppliers felt that ABSA did not sufficiently represent their interests. They particularly objected to the fact that many of the established ABSA members were both publishers and suppliers.

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<sup>81</sup> SAPA, the South African Publishers Association was merged with IPASA, the Independent Publishers Association to form PASA the Publishers Association of South Africa.

<sup>82</sup> The term level playing field is used in the code of conduct but is also often used by the range of people involved in this policy.

The newer suppliers interest in access to the market is described as an interest in redress as this typical comment indicates:

*The RDP principles are finally in effect, the small guy is finally getting the opportunity and access to business...the new system is one of democracy and empowerment, it is perceived to be part of the process of transformation*

Mr MM

It is of note that the department requested, (the interviewee used the word "recommended") that the booksellers worked together and were jointly represented, although relations between the groups appeared to be problematic.

#### 4.4.2.3 *Interests of the schools*

Departmental officials, principals and teachers are all paid by the state, but while principals and teachers are state employees they are not state officials and their interests are often not the same.<sup>83</sup> Furthermore, they must be described separately as schools are the site of policy implementation (and making) closest to the ground, and there are other levels such as area offices between them and the level of the provincial department office. Thus they are structurally and operationally different.

In this instance the interest of principals and teachers echo the interests of the department as they both want service and delivery. According to the principals interviewed, service and quality particularly mean books being delivered on time and the right books arriving (in the past they often received the wrong ones). In addition, schools want assistance with administrative requirements such as requisition forms, they want information about new materials (especially now that they have the opportunity to buy any books they want, and also at a time when a new curriculum is being phased in) and especially they want samples of new books. They want to be helped quickly and appropriately.

Only one interviewee mentioned price. This principal from the ex-model C school mentioned that that some schools liked to swop around suppliers looking for the best prices.

#### 4.4.2.4 *Tensions between interests*

There are opposing interests, both overt and covert, within the state itself, within the private sector as well as between the state and the private sector. These interests are not always contradictory but rather are suspended in a tension that sometimes can be balanced, and sometimes remain out of kilter. Hence I prefer to talk about tensions rather than divergent or conflicting interests, although of course there are often direct clashes of interest too. Describing

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<sup>83</sup> I make a similar point elsewhere that publishing in SA prior to 1994 might be called "publishing-of-a-special-type". See Czerniewicz, L (1993) Learning lessons from African publishing in Kromberg, S and others (Eds.) *Publishing for democratic education* Sached Books.

<sup>84</sup> Dale makes a convincing argument when he says that teachers are not followers or technicians and that many policies are not put into practice because teachers are defending their own interests. He refuses to see teachers as passive recipients of policies and says they are involved in compromise, conflict, mediation and serving their own interests, and so the policy that is actually enacted may be quite different from what was intended. He says this is not because teachers are conservative but because they operate in historically specific circumstances.

them is further complicated by the realisation that these tensions may shift and alter. There may be times where players' interest converge over one issue but differ over another, and there may be agreement and disagreement at different times too. Thus the tensions described below are unstable.

In many ways, at the centre of this policy are the tensions between the interests of regulation and deregulation, and between regulation and what is called democratisation, particularly as this is expressed through centralisation and decentralisation. But there are others too. What are these tensions? How are they manifest? What indications are there of the way they are presently being balanced and resolved, or how they remain unresolved?

#### 4.4.2.4.1 Educational versus commercial interests

What is best for education may well not be best for commerce and vice versa. This has meant that historically, within the province and nationally, the relationship between the education departments and the publishers/booksellers has been extremely fraught, with mutual antagonism being the chief characteristic of the relationship.

One of the publishers acknowledges that this was a problem at the outset:

*I think we have got to look at what happened there when PASA [the publishers association] realised that it needed to look at how it was going to relate to state structures.... It started realising that it's whole relationship with the state had to differ. One reason was that the perceptions of the publishers from within the state were extremely negative and justifiably in many areas. People's perceptions of publishers were incredibly negative - the publishers had had their own modus operandi which included kickbacks, bribery, every possible form of corruption. Its like the truth and reconciliation committee, no-one is accepting where the buck stops. They all denied it, but when I came in 1991, and I was saying from the education perspective do you realise how corrupt people think the publishers all are? So the publishers said all right we need to clean up our act. (Ms PP)*

One of the departmental officials concurred that historically relations between the two were poor, and described how the WCED decided to do something about it:

*A big issue was the fact that there were extremely bad relations between publishers and education departments and one of the reasons they didn't want to open up is that they thought that there would be corruption if the publishers were let loose.... We, in the department, thought it was necessary to start trusting the publishers too and so many discussions were held with the publishers association. (Mr VV)*

Yet this conflict of interest was not at the centre of the policy. Rather, the commercial interests of the private sector were harnessed rather than challenged and criticised. An accommodation was reached, where both commercial and educational interests were taken care of. Thus by utilising the competitive interest of the publishers/ booksellers, educational interests could be served.

An additional complication must be noted in that the commercial/ educational tension was also manifest within the publishing industry as mainstream commercial publishers started to employ educationally-minded people from the alternative press whose funding was drying

up.<sup>85</sup> Thus, there were signs that publishers were being pressurised from within at times to prioritise educational over commercial interests. How these interests lived together within the publishing companies is beyond the scope of this study.

#### 4.4.2.4.2 Equity versus choice/ participation

There are tensions both within this textbook procurement policy as well as between the policy and the Schools Act. In many ways these are a manifestation of tensions between the interest of the common good/ equality for all and the interests of the individual with their rights of choice/ participation.<sup>86</sup> In this case, the issue is about the interests of the individual school versus equal treatment for all schools.

The policy (especially in the code of conduct) stresses equality and fairness, and states:

For the system of supply to be efficient and fair it is considered imperative that there be a level playing field where all publishers and booksellers be given an equal opportunity to produce and supply materials.

Equality for the schools exists in the form of a pre-determined discount and in the statement that educational principles take priority over commercial imperatives. There is belief that free competition will improve education:

COMSEB encourages a competitive and free environment which will lead to a constant improvement in quality, competitive lowering of prices and as broad a range of product as possible. To this end COMSEB believes that the existence of a range of independent suppliers producing and supplying creative accessible and widely tested material is an imperative to ensure a dynamic and internationally acknowledged educational system.

Yet this says nothing about ensuring that all schools are supplied and remains premised on the belief that free competition will supply all schools equally. But these free market forces are less likely to protect the “needy” schools. These may be poorer, therefore their textbooks allocation is not supplemented by fees, so they have less to spend than wealthier schools. They may be previously disadvantaged. They may be more physically remote (poor roads) or less technologically accessible (no phones).

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<sup>85</sup> It is quite likely that the primary interest for doing so was commercial, but once those people were within the companies, a new dynamic was introduced which may have affected the values of the companies and influenced the kind of publishing done and the way it was done. These people were also active within the publishers association.

<sup>86</sup> A neo-liberal approach would foreground choice and a developmental democratic approach (as defined by Held 1995) would foreground participation. The intention here is not to focus on the political orientation rather on the centre being associated with the protection of all, and the periphery being associated with the individual.

It is worth quoting the following dialogue in full to make this point:

Provisioning official: *So, we've got the mechanism in place for each school to have access to the quality of service.*

Interviewer: *Could you not put some sort of thing in place where a bookshop or a provider got the ones that they want, you know the easy urban deliveries but then you said to them but you've also got to take some of the more remote schools. So its a form of clustering?*

Provisioning official: *I can't do that because it wouldn't provide for fair competition. It means I would be allocating schools to a bookseller and the bookseller didn't have to go work for it.*

Interviewer: *It's just that if there's certain schools that that nobody is going to go and look for because they are too far away or they are too difficult to deal with or they don't have phones...*

Provisioning official: *What I've now personally done, I've provided the farm schools with photocopiers. This was my personal way of dealing with this, but we've got to look at the gap there, I agree, but I cannot cluster a group of farm schools with Model C schools and then say Supplier ZZ here, those are your schools. I can't do that. I can't do that, it won't be ethical....*

But that same official also believes that it is his responsibility as a department official to ensure that the requirements of all schools are met. And he believes that this is best achieved through the open system as the new policy allows him to put in place a mechanism which provides every school with access.

*Even though the system is open, at the end of the day I still have the responsibility. The responsibility for the school getting the books is still mine – although I've given them a list of booksellers but at the end of the day if the school doesn't have the books it still comes back to me At the end of the day, when there's trouble it still comes down to me .... (Mr KK)*

There are also tensions between the policy and the Schools Act because as one interviewee commented:

*People don't realise what freedoms they have, they don't understand what freedoms are in the documents, in the current legislation, its all there... (Mr VV)*

The implications of the Act at present are that by having genuinely devolved power to the school, the state cannot place limits on the relationship between an individual school and a supplier. At present, the department is regulating suppliers by insisting on a standard discount for all schools. This gives the smaller suppliers an equal chance to compete with the bigger suppliers. But it is debatable whether it is in the best interests of the schools. On the one hand they may all be treated equally if they have the same book allocation and discount, on the other they may be able to negotiate a better discount with individual suppliers and buy more books.

What emerges is that there are still unresolved issues in this policy, issues that have to be tested and acted out in future. The making of the policy has not meant the completion of the policy. The internal tensions and the tensions between the policy and the Schools Act all show that there are unresolved issues to do with the relationship between equity and choice/ participation.

#### 4.4.2.4.3 Redress for suppliers versus redress for schools

The open supply policy with the concomitant code of conduct attempts to create a broad ranging supply system which allows small players to compete on an equal footing with large ones. In so doing it believes that the interests of all schools will be served as a good service will be provided to them all.

This policy emphasises fairness, partly in reaction to a tender system that was perceived to favour “a few white men”, and it emphasises service and delivery neither of which were apparently provided by the previous tender system.

When the system was devised, the emphasis on fairness came from the anti-corruption sentiments of the time. The code attempts to regulate “the favours”<sup>87</sup> of the past by stating:

...no favours may be given, an even-handed approach must be applied, no individual may be paid a second time for doing his/ her job and no bribes, kick-backs or grants will be sanctioned.

This was perceived by suppliers as redress:

*Before supply was just in the hands of a few white men, now its a step for empowerment*

*Mr QQ*

But another angle on the situation was to be seen, one that had not been anticipated and one which illustrates the point that a policy is not complete when it has been devised but that it continues to be made after it has been implemented. By the end of the period under review pressure from teachers was causing the policy to be changed.

Nervous of being seen to be dispensing favours, suppliers cut down on their promotional items such as diaries, calendars pens and so on. Schools reacted badly. At a time where governing bodies were being put in place with specific instructions to supplement the school's income, donations from the private sector were being sought. Schools, especially previously disadvantaged schools in particular argued that they needed all the extras they could get. This provoked special meetings of COMSEB to try and satisfy the interests of the schools:

*You see what was interesting at the previous meetings is that the Western Cape chairperson [of Sadiu], he raised this whole issue of how one understands redress. Now he says in the code of conduct that the open list it seemed to be an attempt to promote the smaller business person and that that's part of redressing. But he says no, he thinks we must look at redress from the school's point of view where opportunities like provisioning of materials at schools should also be used for redress. So he sees it something like that should ensure a more equitable distribution of resources. (Mr NN)*

Redress, it seems, is a more complicated issue than it might appear. Redress for suppliers translates into businesses having the same limitations and opportunities (hence in order for small businesses to compete equally, limits are placed on promotional items). But this clashes with what redress means for schools, especially in a situation where the schools are turning to the private sector for assistance rather than to the state.

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<sup>87</sup> Publishers had been accused of bribing officials for book orders.



#### 4.4.2.5 Balancing interests

The balancing of interests can also be seen to be about empowering people (by devolving power) and simultaneously ensuring the good of all through central binding agreements. Thus Mr GG argued that individual selfishness is countered by the legal frameworks within which everyone lives:

*I would think that in many of the provinces there is this lack of trust in the capacity of schools. I think it's horribly misplaced, it's patronising. Apart from that I don't see how we can possibly even contemplate then implementing the SA Schools Act. Our dream is we are going to go with all of this if we can get our finance people and all of them to buy into it. We want to tell a school here's your money, we don't even want to be in a position to tell a school you must have so many teachers, let them make that decision as well if they can get by with one fewer but really need two secretaries... We want to get that far down the road. Now, you get worries about that because if you set them free what about policy, what about the nation's agenda, is it then that laissez faire free marketism where everyone does exactly what they please? I think there's enough good sense out there. I think there's enough good sense out there and there's enough of a framework, we've got a constitution, a bill of rights, we've got these framework papers. (Mr GG)*

In the case of this policy he commented:

*I think the truth is that it would probably be a coming together of a history, lots of different people having thought or acted in particular ways and when you put them all together in one place and say now what can we do there's an easy meeting of the minds on this. And when you go into it you see that there are many interests being looked after. (Mr GG)*

Certainly it is significant that in this instance the interests of most schools as well as the WCED department are shared. They both want and prioritise efficiency, service and delivery. Whether the interests of *all* schools are taken care of is another question, one that has only been glimpsed in this study.

In addition, the interests of the department and the suppliers converge as they both have interest in "fair competition" and redress. As the provisioning official said:

*Usually goods and services are procured on a basis of who can provide the lowest price. This was a system that fell in line with the new policy in terms of affirmative procurement plan which was initiated by the state tender board in Pretoria. So our whole idea fell in line with the aims of reaching people on the ground level and also provide for smaller entrepreneurs. (Mr KK)*

By harnessing commercial interests, a workable relationship between the state and the private sector has become possible. In addition, the convergence of most of the interests of the department and the schools (regarding books) has meant an alliance which appears presently to be effective.

What remains blurred is how satisfactory the regulatory framework which has been set in place actually is. The policy represents a fragile balancing of interests. To what extent the state will enforce it and whose interests will ultimately be protected remains unclear.

#### 4.4.3 Actors as stakeholders

Throughout the documents associated with this policy, and throughout the interviews the term “stakeholder” is used to describe the people/ representatives involved in the whole process of book provision. It is used without definition but appears to mean “anyone who has a stake in book provision”.

The Code of Conduct specifies that the stakeholders in the book chain are: the WCED, principals organisation/s; teachers associations/ organisations/ unions; the publishers association; booksellers associations/organisations.<sup>88</sup> While it is not clear how it was decided who would or should be a stakeholder this does not seem to have been a point of contention.

Sayed (1997) proposes that stakeholder participation is a particularly South African manifestation of community participation<sup>89</sup>. A South African Internet search has a hit rate of 328, with the term being used in government policy documents, in the academic community as well as within the commercial environment. It denotes a situation where there is a joint stake in something in a situation when there are usually differences in position or approach.<sup>90</sup>

Sayed asks how the notion of stakeholder participation translates into practical policy terms. Does it imply that stakeholders have the right to decide policy? In this case, it allows stakeholders to contribute to policy-making, it provides a space for the range of voices to be heard but in the final analysis the policy decision does not lie with the stakeholders.

A question pertinent to this policy is whether stakeholders are entitled to or responsible for the monitoring of policy. The Code states

COMSEB will monitor the effectiveness of the code of conduct, any reported transgressions against it, and consider the disciplinary measures (to be) employed. COMSEB will meet every three months to assess the efficacy of the regulatory system implemented by this code of conduct, and feed back to the stakeholders with suggestions for revisions to the code of conduct and its implementation.

Page 6 of Code given to suppliers

Thus stakeholders have a stake in monitoring one another's conduct, keep an eye out for each others transgressions and bring them to the committee's attention. This adds another dimension to the word stakeholders: one who has a stake in monitoring the actions of other stakeholders.

#### 4.4.4 Actors as representatives

The stakeholders involved in COMSEB do not act in their individual capacities (despite the fact that it could be argued that individuals may have a stake too). WCED officials specified at the

<sup>88</sup> Later versions of the Code of conduct specifies each of these associations by name and also includes library associations. It is also of interest that minutes indicate discussions about bringing a representative of school governing bodies onto the committee, since schools will be directly involved in books selection/ purchase.

<sup>89</sup> It has not been possible to corroborate this nor investigate the roots of the term stakeholder, but it is interesting that two dictionaries (Collins and Chambers) do not include the term. However a world-wide Internet search comes up with more than 24 000 hits. The initial evidence is thus contradictory.

outset that they would like to work with and consult representatives of associations rather than individuals and urged individuals to join associations if they wanted to participate. They were making their preference for a form of representative democracy clear.<sup>91</sup>

This commitment was stressed during an interview:

*... we deal with committees, and we make sure those committees are representative as representative as they possibly could be; by making sure that processes within the committees are open, transparent so that first of all the various viewpoints can be accommodated in that group but also that the shaping of the decisions that take place there might be sensitive to the various role players' agendas, and so on. So we work within a truly representative structure but to my mind, more important is that of the understanding that goes with it is. (Mr NN)*

In order for representative democracy to be effective, due process must be meticulously followed. The representatives must be chosen in an agreed and fair manner, they must have a mandate to express the views of the group they represent, they must know what the views of that group are, they must religiously report back to the group, and so on.

In this instance representatives of groups (the stakeholders) were asked for at an open meeting where a new policy was discussed. This means that those representatives could only be chosen from the people present, and how those representatives were selected by their group was not clearly agreed. By the end of that meeting key policy decisions had been made: there would be an open supply system and not a central warehouse as some had argued for. Later those representatives agreed to a 10% discount. Whether they went back to their constituencies is not clear, but seems unlikely given the time frame.

The PASA representative did ask for input from members of the association on a regular basis. For example on 26 March 1996 a report was sent out entitled "Western Cape meetings: summary and response required by 22 April". The booksellers say that they did not report back on each meeting ("as not a lot was achieved at each meeting") but that they met regularly, more or less every second month, and reported back then. Minutes of those meetings would then be circulated to all members.

What if there were members of the association who did not agree with the position being put forward on their behalf as indeed there were?<sup>92</sup> This is one of the limitations of this system of democracy, what Melucci (cited in Sayed 1997) calls a "dilemma of democracy", where representatives do not always articulate the views of their constituencies but rather re-present their views, leading to a tension between the representative and the represented.

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<sup>90</sup> In the commercial environment it appears to be a device for focusing on the shared preoccupations and interests of workers and management, rather than their differences.

<sup>91</sup> This can be contrasted with participatory democracy which is defined - by Held 1987: 262 - as the direct participation of citizens in the regulation of the key institutions of society.

<sup>92</sup> Personal communication with individual publishers.

The problems of this form were commented on by a department official:

*Your problem especially is if you have such a wide group of people get involved in the whole thing that you're not sure whether everyone who underwrites it really does understand it first of all, and secondly feel that the particular person is actually part of the whole development of it. (Mr NN)*

However, while it does appear likely that the forms and requirements of representative democracy were not strictly adhered to, it is difficult to see how another form of consultation/participation could have been utilised in a situation where so many people, groups and interests were involved.<sup>93</sup> The democratic process affects both policy content and legitimacy (Badat 1997) and in this case it was imperfect. A more meticulously correct procedure would no doubt have resulted in a different version of the policy. It is difficult to say whether the result of such procedurally more correct processes would be a "better" policy. It does seem however that that democratic process which occurs on an ongoing basis through COMSEB, has been important in maintaining the legitimacy of the policy.

#### 4.4.5 Actors as champions

A final observation needs to be made about actors and how they can be champions. An inspection of the minutes and interviews reveals the key roles played by two individuals, one within the department, and one in the private sector.

Mr KK was part of the policy making process right through from the early days till the present. Despite the fact that he is the assistant provisioning director (rather than director) he has been a central voice raising concerns about provisioning. The two directors left and were replaced, but he has been the thread of continuity within the department.

In the days when the curriculum and provisioning directorates met with booksellers and publishers separately he repeatedly called for co-ordination between the two directorates. His name appears on all the minutes of all the meetings, from the informal stakeholder meetings to the later formal COMSEB meetings.

It is he who grapples with and reveals an understanding of all the other policies that impact on this supply policy. It is he who relates the policy to the Schools Act, showing a detailed understanding of the Act. He is the person most referred to by suppliers (the one supplier said that he always had an open door policy). He wrote the reports, memos and letters. He is the one all the other officials said should be spoken to. He has played a central role in this policy's formation.

From the private sector there is one individual who has been active from the outset. She attended all the meetings. She called for meetings. She followed up meetings. She insisted for

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<sup>93</sup> Sayed says that examples of representative democracy and participatory democracy are predominant forms in SA today, with the latter stressing small groups, consensus, and face to face interaction. Clearly this would not be feasible in this case.

several months that the publishers/ booksellers should meet with the two main directorates within the WCED at the same time.

In the early days before COMSEB was formalised, and an administrative person was assigned to minute the meetings, she took notes. She followed up. She followed procedure, and essentially maintained the momentum and the slog.

Obviously one cannot conclude that this state/ private sector relationship has occurred quite successfully *because of* these two individuals. Certainly, their actions occur within structures, within the frameworks set by legalities, by resources, by discourses. It may well not have been possible for them to achieve anything if all the other circumstantial factors had not been “right”.

But how well would it have worked without them? While they must have had their own interests, something about those individual personalities made them champion this policy and all the boring effort that was part of it. Ironically (and no doubt unintentionally) it was of these champions who observed:

*I think perhaps the fact that it hasn't worked elsewhere might just come to personality. (Ms PP)*

Overall, what emerges from the data is that there's an intersection of personality and structure, of champions and circumstances that seems to have occurred here, and which reveals itself as a factor that cannot be ignored. Without these champions the policy may not have got as far as it has.

#### **4.5 Concluding remarks**

The main purpose of this study was to develop a conceptual and analytic framework which would enable me to identify the factors which shape this policy and to explore the key features of the policy-making process. The frameworks developed here have achieved this purpose, as they have enabled me to reach a complex understanding of the WCTPP.

In the final conclusion to the dissertation that follows I summarise the analysis of the WCTT and consider the frameworks developed in terms of lessons learnt, limitations and future possibilities.

## 5. Conclusion

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In conclusion I must ask whether I have answered those questions posed at the beginning of this study. Also, I ask how I answered these questions and what I learnt along the way. My question had two parts, the first was about analysing a particular policy, the WCTPP; and the second about developing a framework for policy analyse in general.

### 5.1 *Analysing the WCTPP*

I asked, "What are the key features of this policy and what factors have shaped its emergence?" In the concluding comments to the analysis chapter I suggested that the conceptual and analytic framework developed here enabled me to identify the key features which underpinned the policy and to describe those factors which shaped its emergence. I believe that by doing so I was able to explore the policy and gain an in-depth understanding of the interplay between the different elements that shaped and characterised it.

The conceptual framework enabled me to examine the policy in relation to its historical and spatial context, and to locate it within three conceptual categories: resources, discourses and legislative frames.

The WCTPP has been shaped by its emergence from the Western Cape provincial historical and spatial context. As a policy conceived, developed and translated into practice within the province, it has a coherence not always possible within an education system characterised by national/ provincial policy fragmentation. As a policy it is shaped by the relatively well-resourced and skilled province from which it emerges.

#### **Resources**

The WCTPP involves a state-private sector partnership. In this study it became clear that the resources and capacity at all the sites involved in the process - the department, the school as well as private sector suppliers - are important in this kind of state-private sector partnership. When the state divests itself of certain functions, the private sector organisations which take them on need to have the capacity to fulfil the required functions. Understanding education policy therefore means moving beyond the education sector within the state.

#### **Discourses**

This frame which explores how discourses of the state are constituted in and by this policy provides another way of exploring the state-private sector relationship. The policy is given form by the selective recruitment of divergent discourses of the state. While the policy intentions appear to favour a developmental state which sets parameters to and regulates the private sector, the analysis suggests that a neo-liberal state is gaining dominance in the realisation of the policy as opposed to its intentions. By the time the research ended at the end



of 1997 there was no evidence that the WCED was enforcing the agreements defined within the policy, and by not doing so was allowing market forces unfettered freedom. In this case, inaction can be seen to be a form of intervention and decision.<sup>94</sup>

### Legislation

The legislative/regulatory frame allowed the WCTPP to be explored in terms of how other policies have impacted on it. The discourses which had been recruited into the WCTPP could also be identified in other related legislation, indicating that the discourses exemplified in this policy exist in similar tension more broadly.<sup>95</sup> This analysis showed the fragility of the WCTPP as other policies always have the potential to change it. It also showed the interdependence between the WCTPP and other policies, and indicated the need for increased policy co-ordination within the state itself.

The key features which characterised policy-making were seen to be its on-going nature, and the way it was continually expressed as a balance or compromise of interests. The analysis here suggested that this policy represented a fragile balancing of competing interests with educational interests harnessing commercial interests for educational ends. The consensus was always on the point of rupture. If indeed the neo-liberal state and free market discourse became dominant, that would suggest a rupturing and a re-alignment of interests. This constant re-alignment and instability is the second key feature of policy-making.

The analysis thus allowed for a description of the policy that expressed both its functionality and its fragility. The traditional stagist linear approach which assumes a surety and stasis would have been unable to anticipate and incorporate the complexity and the multi-faceted relationships which this analysis has demonstrated. This framework allowed for a dynamic iteration that illustrates how policy analysis requires an understanding of how policy develops out of the interplay between the contexts, frames and features identified.

Upon reflection, I have further comments about the analysis, the first being about how the conceptual and analytic frameworks used here could be elaborated upon in future. It seems that one limitation of the analysis was that it could have explored the dimension of power more fully. I said at the outset that power is a central characteristic and feature of policy-making. While power was implicit in the discussion of interests and how they were balanced or held in tension, the analysis did not investigate how power and interests were inter-related. I wondered whether this was a shortcoming in the analytic framework itself, but concluded that this was not where the gap lay. Should this framework be used again, I would suggest that the methodology be re-examined and the conceptual framework be elaborated on. An understanding of power was not fully developed in the analysis because the methodology (and therefore the data) did

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<sup>94</sup> This may not be the final word on the policy. The research period was finite and ended in December 1997. This is an area where another researcher could pick up the story.

<sup>95</sup> This suggests that there is a wider discursive frame that extends beyond this policy and informs the actions of the state.

not bring it to the fore. This would suggest that interviewing and document analysis are not the best methods of investigating power and that an ethnographic component could well be necessary to do so. Also, if the conceptual framework had developed a more sophisticated mechanism for focusing on power, it might have emerged more clearly and explicitly in the analysis.

Another observation has to do with the research as a whole. The purpose of the study was not to judge or evaluate the policy, but to describe it and analyse it, to understand its origins. I did not set out to determine the effectiveness of the policy, nor was the purpose to focus on the policy in practice. Consequently, I did not fully investigate the ways in which the policy was realised in all contexts, and specifically in the ten per cent of most under-resourced schools in the province. I think that it would be useful to pay particular attention to those most disadvantaged, more under-resourced and remote schools which I could not easily access, but which are referred to in the analysis. Closer examination of that minority of schools would sharpen the analysis, would ascertain whether the assumption made that the policy is effective was fair, and would provide a more complete understanding of the policy as a whole.

A last point is that this policy is an interesting example of decentralisation and of a state-private sector relationship. In a climate of fiscal austerity, how the state should best intervene (or not) in planning and delivery is a pivotal and crucial debate.<sup>96</sup> By devising and practising this particular policy in the Western Cape the state has put in place boundaries within in which the suppliers can operate, thus simultaneously handing over to and regulating the work of the private sector. If Elmore(1993)<sup>97</sup> is right and the policy question is not whether to centralise or decentralise but rather what should be loosely and tightly controlled by any given level of government, then this policy provides an example of decentralisation that can occur at the provincial level close to the sites of delivery, in a way which could be effectively regulated by the state. The nature of the "tight control" and the extent of regulation was unresolved when this study ended. It would be valuable for another researcher to continue the story.

## ***5.2 Developing a framework for policy analysis***

The second part of the question posed at the beginning was a broader, generic question about policy analysis in general. It asked, "Are there features which consistently characterise the policy-making process and do the factors which gave shape to policy consistently fall into particular categories?" I will briefly review the logic of the framework developed in answer to this question.

I started by defining policy as a purposeful intervention with key attributes. My understanding was that policy denotes intention; action; practice; status; resources and capacity; and power. I found that the process of defining policy had implications for the conceptual

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<sup>96</sup> See de Clercq (1997a) for a useful discussion of this topic.

<sup>97</sup> Elmore, cited in de Clercq (1997a:9).

framework as it relates to policy intentions and practice. The understanding of what policy is, impacts on what you look for when developing a perspective for analysis.

I suggested that the necessary factors which shape, locate and give rise to policy can be described in terms of contexts and frames. These contexts and frames denote arenas within which policy can be constrained or enabled, politically and practically. They operate at the level of meaning as well as pragmatically. I suggested that the key contexts necessary for policy analysis are spatial and historical and that the key frames are the frame of discourses of the state, the resources/ capacity frame and the legislative/ regulatory frame. The key features of policy identified were that policy-making is characterised by fluidity and that policy is the expression of a balance or compromise of interests.

Hopefully, the dissertation as a whole has shown the analytic value of such factors and features, and presented the case for each convincingly. A framework and conceptual categories are artificial constructs necessary for illumination and accessibility. This is true for any theoretical study. Yet reviewing the framework with its uses of concepts of contexts, frames and features still appears to imply that they are each distinct and separate and I would like to stress in conclusion that the distinctions are analytic and necessary primarily for clarity and accessibility. There are complex inter-relationships between the various factors and features. They overlap. They influence and are influenced by one another. They often approach a similar point from a different angle. They combine to form a multi-dimensional iteration.

Just one thread in this analysis exemplifies the point. In the analysis the discourses of the state and the state's interests are discussed separately. This is clearly part of the same "conversation", but has been approached from the perspective of structure (discursive frames) and agency (actors' interests). While these conceptual categories are intended to assist understanding, it is important to remember that they all describe parts of the same story.

Finally, a strand that pervades the study is the understanding that policy exists in permanent tension between fragility and functionality, fluidity and consensus. This suggests that policy has a dual nature which is revealed through an analysis of both the factors and the features of policy. A brief glance at the key frames and features un-picks the strand.

The frame of discourses of the state shows how different discourses of the state exist simultaneously. While there is contestation, people still know how to act. There is sufficient agreement about which discourse is dominant at any one time even while it is also changing.

The legislative/ regulatory frame sees a range of policies impacting on the policy being analysed. Common discourses come through these policies to create some sense of coherence, yet there is always the potential for contradiction. So for example the Schools Act holds the seed of change for the WCTPP and the potential exists in the National Norms and Standards document for certain schools to be differently influenced.

The third frame suggests that resources and capacity impact on policy decisions, content and practice, yet resources are unstable, not only across contexts and sites, but in terms of the sudden shifts that may suddenly occur at any moment. An obvious example is the unplanned textbook financial crisis in the 1998 school year. This crisis has undermined some assumptions in this policy, that procurement is premised on state expenditure and that books are purchased through book sellers. This shift in resourcing potentially breaks one of the essential links in the book chain.<sup>98</sup>

The framework devolved for this study suggests that one of the features characteristic of policy-making is that it is ongoing. Policy making does not end when policy is formulated. Rather policy is reconstituted over and over again as it is interpreted and re-interpreted.

A second feature of policy is that it represents a balance or compromise of interests. As the balance of power changes, there are shifts of adjustment and compromise. Policy changes and moves, yet at any one time there is usually sufficient consensus reached for the policy to be operationalisable.

In essence, throughout this study there is evidence of the permanence of that essential tension that exists within policy. Policy's dual nature is exemplified in the co-existence of fluidity/ permeability/ fragility and stability/ consensus/ functionality.

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<sup>98</sup> Were schools to fund their own books, they might well be tempted to buy directly from publishers, rather than from booksellers despite the advantages that booksellers might offer (regarding range of material and so on). Direct supply from publishers cuts out the middle layer of bookseller and thus means cheaper prices. In addition, the very existence of this book chain is a real indicator of existing resources and capacity. Perhaps the study has not made enough of the distinction between publishers and booksellers and the extent to which new links in the chain can influence book prices in the schools.

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# 6. Appendixes

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## Appendix 1 Pilot interview questions

Question	Reason for question	Commentary
1. What does the job of provisioning/ procurement (whatever person's job) involve?	Intended to be an "ice breaker" easy question to answer.	May give the interviewer ideas about questions to ask later that may be relevant.
2. What are the difficulties in your job?	Intended to introduce some of the issues relevant to the research regarding tensions, conflicting sectors etc.	May not be useful if asked too early, some of the answers may not be relevant.
3. What are the systems and policies (for book procurement) within which you have to work?	Some of this is simply a request for factual information. What will be of interest will be what is mentioned and what is left out. Also what is of interest is how the texts are interpreted and which ones are ignored.	<ul style="list-style-type: none"> <li>Of interest is whether they do refer to the Schools Act (as this implies a new way of seeing procurement);</li> <li>whether they mention the new green paper on procurement and how this is interpreted;</li> <li>if there are any local/provincial policies; if they mention legislation (such as the new constitution);</li> <li>legislation from other sectors.</li> </ul>
4. How were these policies made?	Question about process, both formal and informal	Expect official process to be mentioned, interesting to what extent only official process mentioned, also of interest will be how much they actually know about process (many people are new in job.)
5. What principles underlay these policy-making decisions?	Intended to be an open ended question re issues of cost, efficiency, access, rural/urban issues etc.	Of interest will be which point/ criterion the interviewee mentions, when and what is left out. Will then be able to pick up on criteria from what the interviewee actually says.
6. What criteria are used when making decisions now?	Are they the same as in the policies or is there a possibility of more flexibility? Has practice changed thinking?	Also is there a difference between intention and action, also this begins to give a sense of the individual's capacity and role.
7. Are any of the policies that you use on paper? Copies available? Confidential?	Factual, information gathering, search for primary documents.	Of interest is whether documents are considered confidential, also whether policies have been committed to text (esp. new ones). Will the interviewee give me a copy?
8. How important is cost-effectiveness to you when making decisions? What of redress?	Homing in on some key issues.	These will probably have been raised by now, but this is a specific focus.
9. What is the relationship between these policies at the (your) provincial level and national policies?	Partly, factual, partly relational impact on policies.	Decision-making, and intent and practice.
10. How are the policies here different to those of other provinces? Comment?	Comparative question.	A commentary on the different systems, also on the politics of decision making (the relationship between the provinces).
11. How are the policies different from the past?	Levels, norms, standards, etc.	Raises questions to do with power and control
12. What are the procurement plans, policies, budgets etc. for next year?	Concluding question, plans learning from past.	May well have been answered by now, may yield additional information, do it differently?

## **Appendix 2 Checklist of questions used**

- 1. What does the job of provisioning/ procurement (whatever person's job)) involve?*
- 2. What are the difficulties in your job?*
- 3. What do you think of the WCTPP? Pluses and minuses?*
- 4. What are the systems and policies within which you have to work?*
- 5. What other policies (from any sector) impact on or influence the book procurement policy?*
- 6. How do they impact on your work?*
- 7. How are policies made in this department?*
- 8. Is that how it actually happened/ happens?*
- 9. What criteria were used when making these policies?*
- 10. How do these policies work in practice? What feedback do you get from suppliers and from schools?*
- 11. What criteria are used when making decisions now?*
- 12. Are any of the policies that you use on paper? Copies available? Confidential?*
- 13. How important is cost-effectiveness to you when making decisions? What of redress?*
- 14. What else is important?*
- 15. What is the relationship between these policies at the (your) provincial level and national policies?*
- 16. Why do you think other provinces are not using this policy?*
- 17. What does policy making mean to you?*
- 18. How are the policies different from the past?*
- 19. What are the procurement plans, policies, budgets etc. for next year?*
- 20. Any comments about what you have learnt from this policy?*



### Appendix 3 *Primary source documents about the WCTPP*

<b>Documents</b>	
<b>Minutes</b>	
19 March 1996	stakeholder meeting re a code of conduct for all stakeholders
11 April 1996	conference regarding the procurement of text and prescribed books for the WCED
8 May 1997	fourth meeting of COMSEB
6 June 1997	COMSEB working group
18 June 1997	fifth meeting of COMSEB
7 August 1997	sixth meeting of COMSEB
25 August 1997	seventh meeting of COMSEB
16 September 1997	special meeting of COMSEB
31 October 1997	ninth meeting of COMSEB
17 November 1997	PASA WC regional committee meetings
<b>Letters</b>	
29 March 1996	from PASA executive to members
19 April 1996	from the WCED to PASA
20 April 1996	from WCED to supplier
25 July 1997	from the WCED. to WC schools, entitled Provisioning administration: requisitioning textbooks and prescribed books
<b>Memo</b>	
17 April 1996	Provisioning administration comments on document regarding book screening and selection
<b>Other documents</b>	
30 April 1996	original WCED draft code of conduct
31 October 1997	ratified code of conduct, final version of COMSEB, the Committee of Stakeholders in the Educational Book Chain
<b>Report</b>	
undated, assumed July 1997	A report submitted by the WCED's provisioning section to the WC tender board and entitled <i>The report on the new procedure for procuring textbooks adopted by the Western Cape Education Department from the period 1 August 1996 to 31 March 1997.</i>
Attached to the report	Letter to the provincial tender board Appendix special conditions

## Appendix 4 *People interviewed*

Western Cape Education Department	
Mr NN	senior official in curriculum directorate
Mr KK	senior official in provisioning directorate
Mr FF	senior official in provisioning directorate
Mr VV	retired official in curriculum directorate
Mr BB	senior official in curriculum directorate
Mr GG	head of education department
Suppliers	
Ms TT	representative of ABSA, Association of Booksellers of SA, established suppliers
Mr MM	representative of Independent Booksellers Association
Mr QQ	representative of the Western Cape Association of Hawkers and Informal Businesses
Ms PP	publisher and COMSEB champion

### School heads

6 principals, 1 HOD

Total schools interviewed: 7

ex-HOR: 5

ex-DET: 1

ex-CED: 1

Cape Town area 3 (1 HOR, 1 DET, 1 CED)

out of Cape Town 4 (all HOR)

Person	School	Place	ex-department
Mr RR	Principal of Primary School	Mitchell's Plain, CT	ex-HOR
Mr WW	Principal of Primary School	Cape Town	ex-CED
Mrs OO	Principal of Primary School	Gugulethu, CT	ex-DET
Mrs JJ	Principal of Primary School	Saldanha Bay	ex-HOR
Mr XX	Principal of Secondary School	Beaufort West	ex-HOR
Mr HH	HOD Secondary School	Mossel Bay	ex-HOR
Mr SS	Principal Primary School	Bonnievale	ex-HOR

## Appendix 5 National procurement policies 1997

*This table summary was put together in March 1997*

<i>Province</i>	<i>Requisitions</i>	<i>Orders</i>	<i>Delivery</i>	<i>Payment</i>	<i>Comment</i>
<b>Western Cape</b>	School allocated a figure (budget not actual money), create consolidated order signed by principal	Order through bookshop of their choice	Bookshops deliver	Department pays bookshop who pays publisher	This open system is a pilot to be evaluated after 18 months (ie early 1998)
<b>Northern Cape</b>	Same as Western Cape	Same as Western Cape	Same as Western Cape	Same as Western Cape	
<b>Eastern Cape</b>	Schools fill out requisition forms, departments consolidate on the basis of budgets Departments let publishers know so that they can organise bulk printing Requisitions signed by principal and by an education department official.	Bookshops/ tenderers tender through provincial tender board for the order. Department allocates orders to Bookshops, criteria for allocations not known	Bookshops tenderers supply to schools	Department pays an appointed accounting form who pays the bookshop/ tenderer and the publisher Many bookshops signed a credit agreement with publishers and the Dept. Publishers refusing to supply bookshops who have not signed agreement	There are 70+ registered Bookshops in the EC. Orders appear to be going through about 15 bookshops in reality. When publishers are unhappy with a particular bookshop they go direct to the department to negotiate
<b>Free State</b>	Schools fill out requisition forms, departments consolidate on the basis of budgets Departments let publishers know so that they can organise bulk printing	FS Dep. will use bookshops, they have let publishers know what the orders are but have asked for tenders or allocated orders to bookshops for 1997	Bookshops will deliver It is unclear in what basis b/shops will get orders ie it will not necessarily be on the basis of bookshops being close schools	Most bookshops have signed the credit agreement with the Dept and the publishers	To date (end Feb) schools not yet supplied with books

## Appendix 6

### *Procurement policies of the Western Cape departments before integration*

Education department	System	Comment
<i>Department of Education and Training (DET)</i>	1993/4 supply tenders were given directly to schools and the DET delivered directly to schools itself - 1992 and before the tender went to a mixture of booksellers and publishers who had to distribute direct to schools	The DET had the only computerised system to cope with supply and distribution of books, and actually knew which books were in which schools
<i>House of Representatives</i>	Department organises tenders on a regional basis from 1992. Previously schools ordered directly from booksellers	
<i>House of Delegates</i>	Same of House of Reps	
<i>White departments: Transvaal Education Department (TED), Cape Education Department (CED, Natal Education Department (NED), Orange Free State Education Department (OFED)</i>	Schools buy direct from publishers and bookshops	The Department is not involved with distribution